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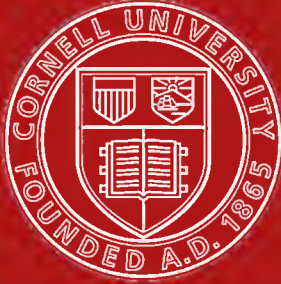
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THE LETTERS OF JUNIUS.

STAT NOMINIS UMBRA.

EDINBURGH—1793.

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DEDICATION

T O

THE ENGLISH NATION.

I DEDICATE to You a collection of Letters, written by one of Yourselfes for the common benefit of us all. They would never have grown to this size without your continued encouragement and applause. To me they originally owe nothing but a healthy, sanguine constitution. Under Your care they have thriven. To You they are indebted for whatever strength or beauty they possess. When Kings and Ministers are forgotten, when the force and direction of personal satire is no longer understood, and when measures are only felt in their remotest consequences, this book will, I believe, be found to contain principles worthy to be transmitted to posterity. When you leave the unimpaired, hereditary freehold to Your children, You do but half Your duty. Both liberty and property are precarious, unless the possessors have sense and spirit enough to defend them. This is not the language of vanity. If I am a vain man, my gratification lies within a narrow circle. I am the sole depository of my own secret, and it shall perish with me.

If an honest, and, I may truly affirm, a laborious zeal for the public service, has given me any weight in Your esteem, let me exhort and conjure You never to suffer an invasion of Your political constitution, however minute the instance may appear, to pass by, without a determined, persevering resistance. One precedent creates another. They soon accumulate, and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures; and where they do not suit exactly, the defect is supplied by analogy. Be assured that the laws, which protect us in our civil rights, grow out of the constitution, and that they must fall or flourish with it.

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This is not the cause of faction or of party, or of any individual, but the common interest of every man in Britain. Although the King should continue to support his present system of government, the period is not very distant at which you will have the means of redress in your own power. It may be nearer perhaps than any of us expect, and I would warn You to be prepared for it. The King may possibly be advised to dissolve the present parliament a year or two before it expires of course, and precipitate a new election, in hopes of taking the nation by surprise. If such a measure be in agitation, this very caution may defeat or prevent it.

*I CANNOT doubt that You will unanimously assert the freedom of election, and vindicate your exclusive right to chuse your representatives. But other questions have been started, on which your determination should be equally clear and unanimous. Let it be impressed upon your minds, let it be instilled into your children, that the liberty of the press is the Palladium of all the civil, political, and religious rights of an Englishman; and that the right of juries to return a general verdict, in all cases whatsoever, is an essential part of our constitution, not to be controuled or limited by the judges, nor in any shape questionable by the Legislature. The power of King, Lords, and Commons, is not an arbitrary power *. They are the trustees, not the owners, of the estate. The fee-simple is in US. They cannot alienate, they cannot waste. When we say that the Legislature is supreme, we mean, that it is the highest power known to the constitution;—that it is the highest in comparison with the other subordinate powers established by the laws. In this sense, the word supreme is relative, not absolute. The power of the Legislature is limited, not only by the general*

* This positive denial, of an arbitrary power being vested in the Legislature, is not in fact a new doctrine. When the Earl of Lindsey, in the year 1675, brought a bill into the House of Lords, *To prevent the dangers which might arise from persons dissaffected to government*, by which an oath and penalty was to be imposed upon the members of both Houses, it was affirmed, in a protest signed by twenty-three lay peers (my Lords the Bishops were not accustomed to protest), "That the privilege of sitting and voting in parliament was an honour they had by birth, and a right so inherent in them, and inseparable from them, *that nothing could take it away*, but what, by the law of the land, must withal take away their lives, and corrupt their blood."—These noble peers (whose names are a reproach to their posterity) have, in this instance, solemnly denied the power of parliament to alter the constitution. Under a particular proposition, they have asserted a general truth, in which every man in England is concerned.

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rules of natural justice, and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit, that King, Lords, and Commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the Legislative and Executive Power in the same hands, and dissolve the constitution by an act of parliament. But I am persuaded You will not leave it to the choice of seven hundred persons, notoriously corrupted by the Crown, whether seven millions of their equals shall be freemen or slaves. The certainty of forfeiting their own rights, when they sacrifice those of the nation, is no check to a brutal, degenerate mind. Without insisting upon the extravagant concession made to Harry the Eighth, there are instances, in the history of other countries, of a formal, deliberate surrender of the public liberty into the hands of the Sovereign. If England does not share the same fate, it is because we have better resources than in the virtue of either house of parliament.

I SAID that the liberty of the press is the Palladium of all your rights, and that the right of the juries to return a general verdict is part of your constitution. To preserve the whole system, You must correct your Legislature. With regard to any influence of the constituent over the conduct of the representative, there is little difference between a seat in parliament for seven years and a seat for life. The prospect of your resentment is too remote ; and although the last session of a septennial parliament be usually employed in courting the favour of the people, consider, that at this rate your representatives have six years for offence, and but one for atonement. A death-bed repentance seldom reaches to restitution. If you reflect, that in the changes of administration which have marked and disgraced the present reign, although your warmest patriots have in their turn been invested with the lawful and unlawful authority of the Crown, and though other reliefs or improvements have been held forth to the people, yet that no one man in office has ever promoted or encouraged a bill for shortening the duration of parliaments, but that (whoever was minister) the opposition to this measure, ever since the septennial

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act passed, has been constant and uniform on the part of government.— You cannot but conclude, without the possibility of a doubt, that long parliaments are the foundation of the undue influence of the Crown. This influence answers every purpose of arbitrary power to the Crown, with an expence and oppression to the people, which would be unnecessary in an arbitrary government. The best of our ministers find it the easiest and most compendious mode of conducting the King's affairs ; and all ministers have a general interest in adhering to a system, which of itself is sufficient to support them in office, without any assistance from personal virtue, popularity, labour, abilities, or experience. It promises every gratification to avarice and ambition, and secures impunity. These are truths unquestionable. If they make no impression, it is because they are too vulgar and notorious. But the inattention or indifference of the nation has continued too long. You are roused at last to a sense of your danger. The remedy will soon be in your power. If Junius lives, You shall often be reminded of it. If, when the opportunity presents itself, You neglect to do your duty to yourselves and to posterity, to God and to your country, I shall have one consolation left, in common with the meanest and basest of mankind : Civil liberty may still last the life of

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P R E F A C E.

THE encouragement given to a multitude of spurious, mangled publications of the letters of *Junius*, persuades me, that a complete edition, corrected and improved by the author, will be favourably received.

THIS edition contains all the letters of *Junius*, *Philo Junius*, and of *Sir William Draper* and *Mr. Horne* to *Junius*, with their respective dates, and according to the order in which they appeared in the Public Advertiser. The auxiliary part of *Philo Junius* was indispensably necessary to defend or explain particular passages in *Junius*, in answer to plausible objections; but the subordinate character is never guilty of the indecorum of praising his principal. The fraud was innocent, and I always intended to explain it. The notes will be found not only useful, but necessary. References to facts not generally known, or allusions to the current report or opinion of the day, are in a little time unintelligible. Yet the reader will not find himself overloaded with explanations. I was not born to be a commentator, even upon my own works.

IT remains to say a few words upon the liberty of the press. The daring spirit, by which these letters are supposed to be distinguished, seems to require that something serious should be said in their defence. I am no lawyer by profession, nor do I pretend to be more deeply read than every English gentleman should be in the laws of his country. If, therefore, the principles I maintain are truly constitutional, I shall not think myself answered, though I should be convicted of a mistake in terms, or of misapplying the language of the law. I speak to the plain understanding of the people, and appeal to their honest, liberal construction of me.

Good men, to whom alone I address myself, appear to me to consult their piety as little as their judgment and experience, when they admit the great and essential advantages accruing to society from the freedom of the press, yet indulge themselves in peevish or passionate exclamations against the abuses of it. Betraying an unreasonable expectation of benefits pure and entire from any human institution, they in effect arraign the goodness of Providence, and confess that they are dissatisfied with the common lot of humanity. In the present instance, they really create to their own minds, or greatly exaggerate, the evil they complain of. The laws of England provide as effectually as any human laws can do, for the protection of the subject, in his reputation, as well as in his person and property. If the characters of private men are insulted or injured, a double remedy is open to them, by *action* and *indictment*. If, through indolence, false shame, or indifference, they will not appeal to the laws of their country, they fail in their duty to society, and are unjust to themselves. If, from an unwarrantable distrust of the integrity of juries, they would wish to obtain justice by any mode of proceeding

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more summary than a trial by their peers, I do not scruple to affirm, that they are in effect greater enemies to themselves than to the libeller they prosecute.

WITH regard to strictures upon the characters of men in office, and the measures of government, the case is a little different. A considerable latitude must be allowed in the discussion of public affairs, or the liberty of the press will be of no benefit to society. As the indulgence of private malice and personal slander should be checked and resisted by every legal means, so a constant examination into the characters and conduct of ministers and magistrates should be equally promoted and encouraged. They, who conceive that our newspapers are no restraint upon bad men, or impediment to the execution of bad measures, know nothing of this country. In that state of abandoned ferocity and prostitution, to which the undue influence of the Crown has reduced the other branches of the Legislature, our ministers and magistrates have in reality little punishment to fear, and few difficulties to contend with, beyond the censure of the press, and the spirit of resistance which it excites among the people. While this censorial power is maintained, to speak in the words of a most ingenious foreigner, both minister and magistrate is compelled, in almost every instance, *to chuse between his duty and his reputation*. A dilemma of this kind perpetually before him, will not indeed work a miracle in his heart, but it will assuredly operate, in some degree, upon his conduct. At all events, there are not times to admit of any relaxation in the little discipline we have left.

BUT it is alleged, that the licentiousness of the press is carried beyond all bounds of decency and truth :—That our excellent ministers are continually exposed to the public hatred or derision :—That, in prosecutions for libels on government, juries are partial to the popular side ;—and that, in the most flagrant cases, a verdict cannot be obtained for the King.—If the premises were admitted, I should deny the conclusion. It is not true, that the temper of the times has in general an undue influence over the conduct of juries. On the contrary, many signal instances may be produced of verdicts returned for the King, when the inclinations of the people led strongly to an undistinguishing opposition to government. Witness the cases of *Mr. Wilkes* and *Mr. Almon*.—In the late prosecutions of the printers of my address to a great personage, the juries were never fairly dealt with.—*Lord Chief Justice Mansfield*, conscious that the paper in question contained no treasonable or libellous matter, and that the severest parts of it, however painful to the King or offensive to his servants, were strictly true, would fain have restricted the jury to the finding of special facts, which, as to *guilty* or *not guilty*, were merely indifferent. This particular motive, combined with his general purpose to contract the power of juries, will account for the charge he delivered in *Woodfall's* trial. He told the jury, in so many words, that they had nothing to determine, except the fact of *printing and publishing*, and whether or no the *blanks* or *innuendos* were properly filled up in the information ;—but that, whether the defendant had committed a *crime*, or not, was no matter of consideration to twelve men, who yet, upon their oaths were, to pronounce their peer *guilty*, or *not guilty*. When we hear such nonsense delivered

from the bench, and find it supported by a laboured train of sophistry, which a plain understanding is unable to follow, and which an unlearned jury, however it may shock their reason, cannot be supposed qualified to refute, can it be wondered that they should return a verdict, perplexed, absurd, or imperfect?—*Lord Mansfield* has not yet explained to the world, why he accepted of a verdict, which the court afterwards set aside as illegal; and which, as it took no notice of the *innuendos*, did not even correspond with his own charge. If he had known his duty, he should have sent the jury back.—I speak advisedly, and am well assured that no lawyer of character in Westminster-hall will contradict me. To show the falsehood of *Lord Mansfield's* doctrine, it is not necessary to enter into the merits of the paper which produced the trial. If every line of it were treason, his charge to the jury would still be false, absurd, illegal, and unconstitutional. If I stated the merits of my letter to *the King*, I should imitate LORD MANSFIELD, and TRAVEL OUT OF THE RECORD*. When law and reason speak plainly, we do not want authority to direct our understandings. Yet, for the honour of the profession, I am content to oppose one lawyer to another, especially when it happens that the King's Attorney General has virtually disclaimed the doctrine by which the Chief Justice meant to insure success to the prosecution. The opinion of the plaintiff's counsel (however it may be otherwise insignificant) is weighty in the scale of the defendant.—My Lord Chief Justice De Grey, who filed the information *ex officio*, is directly with me. If he had concurred in *Lord Mansfield's* doctrine, the trial must have been a very short one. The facts were either admitted by *Woodfall's* counsel, or easily proved to the satisfaction of the jury. But *Mr. De Grey*, far from thinking he should acquit himself of his duty by barely proving the facts, entered largely, and I confess not without ability, into the demerits of the paper, which he called a *sedition libel*. He dwelt but lightly upon those points, which (according to *Lord Mansfield*) were the only matter of consideration to the jury. The criminal intent, the libellous matter, the pernicious tendency of the paper itself, were the topics on which he principally insisted, and of which for more than an hour he tortured his faculties to convince the jury. If he agreed in opinion with *Lord Mansfield*, his discourse was impertinent, ridiculous, and unreasonable. But, understanding the law as I do, what he said was at least consistent and to the purpose.

* The following quotation from a speech delivered by *Lord Chatham* on the eleventh of December 1770, is taken with exactness. The reader will find it curious in itself, and very fit to be inserted here. "My Lords, The verdict given in *Woodfall's* trial, was guilty of printing and publishing ONLY; upon which two motions were made in court;—one, in arrest of judgment, by the defendant's counsel, grounded upon the ambiguity of the verdict;—the other, by the counsel for the crown, for a rule upon the defendant, to show cause, why the verdict should not be entered up according to the legal import of the words. On both motions, a rule was granted, and soon after the matter was argued before the court of King's Bench. The noble judge, when he delivered the opinion of the court upon the verdict, went regularly through the whole of the proceedings at *Nisi Prius*, as well the evidence that had been given, as his own charge to the jury. This proceeding would have been very proper, had a motion been made of either side for a new trial; because either a verdict given contrary to evidence, or an improper charge by the judge at *Nisi Prius*, is held to be a sufficient ground for granting a new trial. But when a motion is made in arrest of judgment, or for establishing the verdict by entering it up according to the legal import of the words, it must be on the ground of something appearing on the face of the record; and the court, in considering whether the verdict shall be established or not, are so confined to the record, that they cannot take notice of any thing that does not appear on the face of it; in the legal phrase, they cannot travel out of the record. The noble judge did travel out of the record; and I affirm that his discourse was irregular, extrajudicial, and unprecedented. His apparent motive for doing what he knew to be wrong, was, that he might have an opportunity of telling the public extrajudicially, that the other three judges concurred in the doctrine laid down in his charge."

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IF any honest man should still be inclined to leave the construction of libels to the court, I would intreat him to consider what a dreadful complication of hardships he imposes upon his fellow subjects.—In the first place, the prosecution commences by *information* of an officer of the crown, not by the regular constitutional mode of *indictment* before a grand jury.—As the fact is usually admitted, or in general can easily be proved, the office of the petty jury is nugatory.—The court then judges of the nature and extent of the offence, and determines *ad arbitrium* the *quantum* of the punishment, from a small fine to a heavy one, to repeated whipping, to pillory, and unlimited imprisonment. Cutting off ears and noses *might* still be inflicted by a resolute judge; but I will be candid enough to suppose that penalties, so apparently shocking to humanity, would not be hazarded in these times.—In all other criminal prosecutions, the jury decides upon the fact and the crime in one word; and the court pronounces a *certain* sentence, which is the sentence of the law, not of the judge. If *Lord Mansfield's* doctrine be received, the jury must either find a verdict of acquittal, contrary to evidence (which, I can conceive, might be done by very conscientious men, rather than trust a fellow-creature to *Lord Mansfield's* mercy); or they must leave to the court two offices, never but in this instance united, of finding guilty, and awarding punishment.

BUT, says this honest *Lord Chief Justice*, “If the paper be not criminal, the defendant (though found guilty by his peers) is in no danger, for he may move the court in arrest of judgment.”—True, my good Lord, but who is to determine upon the motion?—Is not the court still to decide, whether judgment shall be entered up or not? and is not the defendant this way as effectually deprived of judgment by his peers, as if he were tried in a court of civil law, or in the chambers of the inquisition? It is you, my Lord, who then try the crime, not the jury. As to the probable effect of the motion in arrest of judgment, I shall only observe, that no reasonable man would be so eager to possess himself of the invidious power of inflicting punishment, if he were not pre-determined to make use of it.

AGAIN :—We are told that judge and jury have a distinct office;—that the jury is to find the fact, and the judge to deliver the law. *De jure respondent judices, de facto jurati*. The *dictum* is true, though not in the sense given to it by *Lord Mansfield*. The jury are undoubtedly to determine the fact, that is, whether the defendant did or did not commit the crime charged against him. The judge pronounces the sentence annexed by law to that fact so found; and if, in the course of the trial, any question of law arises, both the counsel and the jury must, of necessity, appeal to the judge, and leave it to his decision. An *exception*, or *plea in bar*, may be allowed by the court; but when issue is joined, and the jury have received their charge, it is not possible, in the nature of things, for them to separate the law from the fact, unless they think proper to return a *special* verdict.

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It has also been alleged, that, although a common jury are sufficient to determine a plain matter of fact, they are not qualified to comprehend the meaning, or to judge of the tendency, of a seditious libel. In answer to this objection (which, if well founded, would prove nothing as to the *strict right* of returning a general verdict), I might safely deny the truth of the assertion. *Englishmen* of that rank, from which juries are usually taken, are not so illiterate as (to serve a particular purpose) they are now represented. Or, admitting the fact, let a special jury be summoned in all cases of difficulty and importance, and the objection is removed. But the truth is, that if a paper, supposed to be a libel upon government, be so obscurely worded, that twelve common men cannot possibly see the seditious meaning and tendency of it, it is in effect no libel. It cannot inflame the minds of the people, nor alienate their affections from government; for they no more understand what it means, than if it were published in a language unknown to them.

UPON the whole matter it appears, to *my* understanding, clear beyond a doubt, that if, in any future prosecution for a seditious libel, the jury should bring in a verdict of acquittal not warranted by the evidence, it will be owing to the false and absurd doctrines laid down by *Lord Mansfield*. Disgusted at the odious artifices made use of by the Judge to mislead and perplex them, guarded against his sophistry, and convinced of the falsehood of his assertions, they may perhaps determine to thwart his detestable purpose, and defeat him at any rate. To *him* at least they will do *substantial justice*.—Whereas, if the whole charge, laid in the information, be fairly and honestly submitted to the jury, there is no reason whatsoever to presume that twelve men, upon their oaths, will not decide impartially between the King and the defendant. The numerous instances, in our state trials, of verdicts recovered for the King, sufficiently refute the false and scandalous imputations thrown by the abettors of *Lord Mansfield* upon the integrity of juries. But even admitting the supposition, that in times of universal discontent, arising from the notorious maladministration of public affairs, a seditious writer should escape punishment, it makes nothing against my general argument. If juries are fallible, to what other tribunal shall we appeal?—If juries cannot safely be trusted, shall we unite the offices of judge and jury, so wisely divided by the constitution, and trust implicitly to *Lord Mansfield*? Are the judges of the Court of King's Bench more likely to be unbiassed and impartial, than twelve yeomen, burgesses or gentlemen, taken indifferently from the county at large?—Or, in short, shall there be *no* decision, until we have instituted a tribunal, from which no possible abuse or inconvenience whatsoever can arise?—If I am not grossly mistaken, these questions carry a decisive answer along with them.

HAVING cleared the freedom of the press from a restraint equally unnecessary and illegal, I return to the use which has been made of it in the present publication.

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NATIONAL reflections, I confess, are not justified in theory, nor upon any general principles. To know how well they are deserved, and how justly they have been applied, we must have the evidence of facts before us. We must be conversant with the *Scots* in private life, and observe their principles of acting to *us*, and to each other;—the characteristic prudence, the selfish nationality, the indefatigable smile, the persevering assiduity, the everlasting profession of a discreet and moderate resentment.—If the instance were not too important for an experiment, it might not be amiss to confide a little in their integrity.—Without any abstract reasoning upon causes and effects, we shall soon be convinced by *experience*, that the *Scots*, transplanted from their own country, are always a distinct and separate body from the people who receive them. In other settlements, they only love themselves;—In *England*, they cordially love themselves, and as cordially hate their neighbours. For the remainder of their good qualities, I must appeal to the reader's observation, unless he will accept of *my Lord Barrington's* authority. In a letter to the late *Lord Melcombe*, published by *Mr. Lee*, he expresses himself with a truth and accuracy not very common in his Lordship's lucubrations.—“And Cockburn, *like most of his countrymen*, is as abject to those above him, as he is insolent to those below him.”—I am far from meaning to impeach the articles of the union. If the true spirit of those articles were religiously adhered to, we should not see such a multitude of Scotch commoners in the lower-house, as representatives of English boroughs, while not a single Scotch borough is ever represented by an Englishman. We should not see English peerages given to Scotch ladies, or to the elder sons of Scotch peers, and the number of *sixteen* doubled and trebled by a scandalous evasion of the act of union.—If it should ever be thought adviseable to dissolve an act, the violation or observance of which is invariably directed by the advantage and interest of the *Scots*, I shall say very sincerely with Sir Edward Coke, * “When poor England stood alone, and had not the access of another kingdom, and yet had more and as potent enemies as it now hath, yet the King of England prevailed.”

SOME opinion may now be expected from me, upon a point of equal delicacy to the writer, and hazard to the printer. When the character of the chief magistrate is in question, more must be understood than may safely be expressed. If it be really a part of our constitution, and not a mere *dictum* of the law, *that the King can do no wrong*, it is not the only instance, in the wisest of human institutions, where theory is at variance with practice. That the sovereign of this country is not amenable to any form of trial known to the laws, is unquestionable. But exemption from punishment is a singular privilege annexed to the royal character, and no way excludes the possibility of deserving it. How long, and to what extent, a King of *England* may be protected by the forms, when he violates the spirit of the constitution, deserves to be considered. A mistake in this matter proved fatal to *Charles* and his son.—For my own part, far

* Parliamentary History, V. vii. p. 400.

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from thinking that the King can do no wrong, far from suffering myself to be deterred or imposed upon by the language of forms in opposition to the substantial evidence of truth, if it were my misfortune to live under the inauspicious reign of a prince, whose whole life was employed in one base, contemptible struggle with the free spirit of his people, or in the detestable endeavour to corrupt their moral principles, I would not scruple to declare to him,—“Sir, You alone are the author of the greatest wrong to your subjects and to yourself. Instead of reigning in the hearts of your people, instead of commanding their lives and fortunes through the medium of their affections; has not the strength of the crown, whether influence or prerogative, been uniformly exerted, for eleven years together, to support a narrow, pitiful system of government, which defeats itself, and answers no one purpose of real power, profit, or personal satisfaction to You? With the greatest unappropriated revenue of any prince in Europe, have we not seen You reduced to such vile and sordid distresses, as would have conducted any other man to a prison? With a great military, and the greatest naval power in the known world, have not foreign nations repeatedly insulted You with impunity? Is it not notorious that the vast revenues, extorted from the labour and industry of your subjects, and given You to do honour to Yourself and to the nation, are dissipated in corrupting their representatives? Are You a prince of the House of Hanover, and do You exclude all the leading Whig families from your councils? Do you profess to govern according to law; and is it consistent with that profession, to impart your confidence and affection to those men only, who, though now perhaps detached from the desperate cause of the Pretender, are marked in this country by an hereditary attachment to high and arbitrary principles of government? Are you so infatuated as to take the sense of your people from the representation of ministers, or from the shouts of a mob, notoriously hired to surround your coach, or stationed at a theatre? And if You are, in reality, that public man, that King, that Magistrate, which these questions suppose You to be, is it any answer to your people, to say, That among your domestics You are good-humoured; that to one lady You are faithful; that to Your children You are indulgent?—Sir, the man, who addresses You in these terms is your best friend. He would willingly hazard his life in defence of your title to the crown; and, if *power* be your object, would still show You how possible it is for a King of England, by the noblest means, to be the most absolute prince in Europe. You have no enemies, Sir, but those who persuade You to aim at power without right, and who think it flattery to tell You that the character of King dissolves the natural relation between guilt and punishment.”

I CANNOT conceive that there is a heart so callous, or an understanding so depraved, as to attend to a discourse of this nature, and not to feel the force of it. But where is the man, among those who have access to the closet, resolute and honest enough to deliver it? The liberty of the press is our only resource. It will command an audience, when every honest man in the kingdom is excluded. This glorious privilege may be a

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security to the King, as well as a resource to his people. Had there been no star-chamber, there would have been no rebellion against Charles the First. The constant censure and admonition of the press would have corrected his conduct, prevented a civil war, and saved him from an ignominious death.—I am no friend to the doctrine of precedents exclusive of right; though lawyers often tell us, that whatever has been once done may lawfully be done again.

I SHALL conclude this preface, with a quotation applicable to the subject from a foreign writer *, whose essay on the English constitution I beg leave to recommend to the public, as a performance deep, solid, and ingenious.

“In short, whoever considers what it is that constitutes the moving principle of what we call great affairs, and the invincible sensibility of man to the opinion of his fellow-creatures, will not hesitate to affirm, that if it were possible for the liberty of the press to exist in a despotic government, and (what is not less difficult) for it to exist without changing the constitution, this liberty of the press would alone form a counterpoise to the power of the prince. If, for example, in an empire of the East, a sanctuary could be found, which, rendered respectable by the ancient religion of the people, might insure safety to those who should bring thither their observations of any kind; and that, from thence, printed papers should issue, which, under a certain seal, might be equally respected; and which, in their daily appearance, should examine and freely discuss the conduct of the Cadis, the Bashaws, the Vizir, the Divan, and the Sultan himself, that would introduce immediately some degree of liberty.”

• *Monsieur de Lolme.*

THE

THE

LETTERS OF JUNIUS.

LETTER I.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

JANUARY 21. 1769.

THE submission of a free people to the executive authority of government is no more than a compliance with laws which they themselves have enacted. While the national honour is firmly maintained abroad, and while justice is impartially administered at home, the obedience of the subject will be voluntary, cheerful, and I might almost say unlimited. A generous nation is grateful even for the preservation of its rights, and willingly extends the respect due to the office of a good prince into an affection for his person. Loyalty, in the heart and understanding of an Englishman, is a rational attachment to the guardian of the laws. Prejudices and passion have sometimes carried it to a criminal length ; and, whatever foreigners may imagine, we know that Englishmen have erred as much in a mistaken zeal for particular persons and families, as they ever did in defence of what they thought most dear and interesting to themselves.

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IT naturally fills us with resentment, to see such a temper insulted and abused. In reading the history of a free people, whose rights have been invaded, we are interested in their cause. Our own feelings tell us how they ought to have submitted, and at what moment it would have been treachery to themselves not to have resisted. How much warmer will be our resentment, if experience should bring the fatal example home to ourselves !

THE situation of this country is alarming enough to rouse the attention of every man who pretends to a concern for the public welfare. Appearances justify suspicion ; and when the safety of a nation is at stake, suspicion is a just ground of inquiry. Let us enter into it with candour and decency. Respect is due to the station of ministers ; and, if a resolution must at last be taken, there is none so likely to be supported with firmness as that which has been adopted with moderation.

THE ruin or prosperity of a state depends so much upon the administration of its government, that, to be acquainted with the merit of a ministry, we need only observe the condition of the people. If we see them obedient to the laws, prosperous in their industry, united at home, and respected abroad, we may reasonably presume that their affairs are conducted by men of experience, abilities, and virtue. If, on the contrary, we see an universal spirit of distrust and dissatisfaction, a rapid decay of trade, dissensions in all parts of the empire, and a total loss of respect in the eyes of foreign powers, we may pronounce without hesitation, that the government of that country is weak, distracted, and corrupt. The multitude, in all countries, are patient to a certain point. Ill-usage may rouse their indignation, and hurry them into excesses ; but the original fault is in government. Perhaps there never was an instance of a change, in the circumstances and temper of a whole nation, so sudden and extraordinary as that which the misconduct of ministers has, within

these few years, produced in Great Britain. When our gracious Sovereign ascended the throne, we were a flourishing and a contented people. If the personal virtues of a king could have insured the happiness of his subjects, the scene could not have altered so entirely as it has done. The idea of uniting all parties, of trying all characters, and distributing the offices of state by rotation, was gracious and benevolent to an extreme, though it has not yet produced the many salutary effects which were intended by it. To say nothing of the wisdom of such a plan, it undoubtedly arose from an unbounded goodness of heart, in which folly had no share. It was not a capricious partiality to new faces ;—it was not a natural turn for low intrigue ;—nor was it the treacherous amusement of double and triple negotiations. No, Sir ; it arose from a continued anxiety, in the purest of all possible hearts, for the general welfare. Unfortunately for us, the event has not been answerable to the design. After a rapid succession of changes, we are reduced to that state, which hardly any change can mend. Yet there is no extremity of distress, which of itself ought to reduce a great nation to despair. It is not the disorder, but the physician ;—it is not a casual concurrence of calamitous circumstances ;—it is the pernicious hand of government, which alone can make a whole people desperate.

WITHOUT much political sagacity, or any extraordinary depth of observation, we need only mark how the principal departments of the state are bestowed, and look no farther for the true cause of every mischief that befalls us.

* THE finances of a nation, sinking under its debts and expences, are committed to a young nobleman already ruined by play. Intro-

* The Duke of Grafton took the office of Secretary of State, with an engagement to support the Marquis of Rockingham's administration. He resigned however in a little time, under pretence that he could not act without Lord Chatham, nor bear to see Mr Wilkes abandoned ; but that under Lord Chatham he would act in *any* office. This was the signal of Lord Rockingham's dismissal. When Lord Chatham came in, the Duke got possession of the Treasury. Reader, mark the consequence.

duced to act under the auspices of Lord Chatham, and left at the head of affairs by that nobleman's retreat, he became minister by accident; but deserting the principles and professions which gave him a moment's popularity, we see him, from every honourable engagement to the public, an apostate by design. As for business, the world yet knows nothing of his talents or resolution; unless a wayward, wavering inconsistency be a mark of genius, and caprice a demonstration of spirit. It may be said, perhaps, that it is his Grace's province, as surely it is his passion, rather to distribute than to save the public money; and that while Lord North is Chancellor of the Exchequer, the First Lord of the Treasury may be as thoughtless and extravagant as he pleases. I hope, however, he will not rely too much on the fertility of Lord North's genius for finance. His Lordship is yet to give us the first proof of his abilities: It may be candid to suppose that he has hitherto voluntarily concealed his talents; intending perhaps to astonish the world, when we least expect it, with a knowledge of trade, a choice of expedients, and a depth of resources, equal to the necessities, and far beyond the hopes of his country. He must now exert the whole power of his capacity, if he would wish us to forget, that, since he has been in office, no plan has been formed, no system adhered to, nor any one important measure adopted for the relief of public credit. If his plan for the service of the current year be not irrevocably fixed on, let me warn him to think seriously of consequences before he ventures to increase the public debt. Outraged and oppressed as we are, this nation will not bear, after a six years peace, to see new millions borrowed, without an eventual diminution of debt, or reduction of interest. The attempt might rouse a spirit of resentment, which might reach beyond the sacrifice of a minister. As to the debt upon the civil list, the people of England expect that it will not be paid without a strict inquiry how it was incurred. If it must be paid by parliament, let me advise the Chancellor of the Exchequer to think of some better expedient than a lottery. To support an expensive

war, or in circumstances of absolute necessity, a lottery may perhaps be allowable; but, besides that it is at all times the very worst way of raising money upon the people, I think it ill becomes the royal dignity to have the debts of a King provided for, like the repairs of a country bridge, or a decayed hospital. The management of the King's affairs in the House of Commons cannot be more disgraced than it has been. A leading minister * repeatedly called down for absolute ignorance;—ridiculous motions ridiculously withdrawn;—deliberate plans disconcerted, and a week's preparation of graceful oratory lost in a moment, give us some though not adequate idea of Lord North's parliamentary abilities and influence. Yet before he had the misfortune of being Chancellor of the Exchequer, he was neither an object of derision to his enemies, nor of melancholy pity to his friends.

A SERIES of inconsistent measures has alienated the colonies from their duty as subjects, and from their natural affection to their common country. When Mr. Grenville was placed at the head of the Treasury, he felt the impossibility of Great Britain's supporting such an establishment as her former successes had made indispensable, and at the same time of giving any sensible relief to foreign trade, and to the weight of the public debt. He thought it equitable that those parts of the empire, which had benefited most by the expences of the war, should contribute something to the expences of the peace, and he had no doubt of the constitutional right vested in parliament to raise the contribution. But, unfortunately for this country, Mr. Grenville was at any rate to be distressed because he was minister; and Mr. Pitt § and Lord Camden were to be the patrons of America, because they were in opposition. Their declaration gave spirit and argument to the colonies; and while perhaps they meant

* This happened frequently to poor Lord North.
Lord Chatham!

§. Yet *Junius* has been called the partizan of

no more than the ruin of a minister, they in effect divided one half of the empire from the other.

UNDER one administration, the stamp-act is made ; under the second, it is repealed ; under the third, in spite of all experience, a new mode of taxing the colonies is invented, and a question revived which ought to have been buried in oblivion. In these circumstances a new office is established for the business of the plantations, and the Earl of Hillsborough called forth, at a most critical season, to govern America. The choice at least announced to us a man of superior capacity and knowledge. Whether he be so or not, let his dispatches, as far as they have appeared, let his measures, as far as they have operated, determine for him. In the former, we have seen strong assertions without proof, declamation without argument, and violent censures without dignity or moderation ; but neither correctness in the composition, nor judgment in the design. As for his measures, let it be remembered, that he was called upon to conciliate and unite ; and that, when he entered into office, the most refractory of the colonies were still disposed to proceed by the constitutional methods of petition and remonstrance. Since that period they have been driven into excesses little short of rebellion. Petitions have been hindered from reaching the throne ; and the continuance of one of the principal assemblies rested upon an arbitrary condition * ; which, considering the temper they were in, it was impossible they should comply with, and which would have availed nothing as to the general question if it had been complied with. So violent, and I may believe I call it so unconstitutional, an exertion of the prerogative, to say nothing of the weak injudicious terms in which it was conveyed, gives us as humble an opinion of his lordship's capacity as it does of his temper and moderation. While we are at peace with other nations, our military force may perhaps be spared to support the Earl of Hillsborough's mea-

* That they should retract one of their resolutions, and erase the entry of it.

fires in America. Whenever that force shall be necessarily withdrawn or diminished, the dismissal of such a minister will neither console us for his imprudence, nor remove the settled resentment of a people, who, complaining of an act of the legislature, are outraged by an unwarrantable stretch of prerogative, and, supporting their claims by argument, are insulted with declamation.

DRAWING lots would be a prudent and reasonable method of appointing the officers of state, compared to a late disposition of the secretary's office. Lord Rochford was acquainted with the affairs and temper of the southern courts: Lord Weymouth was equally qualified for either department*. By what unaccountable caprice has it happened, that the latter, who pretends to no experience whatsoever, is removed to the most important of the two departments, and the former by preference placed in an office where his experience can be of no use to him? Lord Weymouth had distinguished himself in his first employment by a spirited if not judicious conduct. He had animated the civil magistrate beyond the tone of civil authority, and had directed the operations of the army to more than military execution. Recovered from the errors of his youth, from the distraction of play, and the bewitching smiles of Burgundy, behold him exerting the whole strength of his clear, unclouded faculties, in the service of the crown. It was not the heat of midnight excesses, nor ignorance of the laws, nor the furious spirit of the house of Bedford: No, Sir, when this respectable minister interposed his authority between the magistrate and the people, and signed the mandate, on which, for aught he knew, the lives of thousands depended, he did it from the deliberate motion of his heart supported by the best of his judgment.

It has lately been a fashion to pay a compliment to the bravery

* It was pretended that the Earl of Rochford, while ambassador at France, had quarrelled with the Duke of Choiseuil; and that therefore he was appointed to the northern department, out of compliment to the French minister.

and generosity of the commander in chief *, at the expence of his understanding. They who love him least make no question of his courage, while his friends dwell chiefly on the facility of his disposition. Admitting him to be as brave as a total absence of all feeling and reflection can make him, let us see what sort of merit he derives from the remainder of his character. If it be generosity to accumulate in his own person and family a number of lucrative employments ; to provide, at the public expence, for every creature that bears the name of Manners ; and, neglecting the merit and services of the rest of the army, to heap promotions upon his favourites and dependants ; the present commander in chief is the most generous man alive. Nature has been sparing of her gifts to this noble lord ; but where birth and fortune are united, we expect the noble pride and independence of a man of spirit, not the servile humiliating complaisance of a courtier. As to the goodness of his heart, if a proof of it be taken from the facility of never refusing, what conclusion shall we draw from the indecency of never performing ? And if the discipline of the army be in any degree preserved, what thanks are due to a man, whose cares, notoriously confined to filling up vacancies, have degraded the office of commander in chief into a broker of commissions ?

WITH respect to the navy, I shall only say, that this country is so highly indebted to Sir Edward Hawke, that no expence shall be spared to secure to him an honourable and affluent retreat.

THE pure and impartial administration of justice is perhaps the firmest bond to secure a cheerful submission of the people, and to engage their affections to government. It is not sufficient that questions of private right or wrong are justly decided, nor that judges are superior to the vileness of pecuniary corruptions. Jefferies himself, when the court had no interest, was an upright judge. A court

* The late Lord Granby.

of justice may be subject to another sort of bias more important and pernicious, as it reaches beyond the interest of individuals, and affects the whole community. A judge under the influence of government, may be honest enough in the decision of private causes, yet a traitor to the public. When a victim is marked out by the ministry, this judge will offer himself to perform the sacrifice. He will not scruple to prostitute his dignity, and betray the sanctity of his office, whenever an arbitrary point is to be carried for government, or the resentment of a court to be gratified.

THESE principles and proceedings, odious and contemptible as they are, in effect are no less injudicious. A wise and generous people are roused by every appearance of oppressive unconstitutional measures, whether those measures are supported only by the power of government, or masked under the forms of a court of justice. Prudence and self-preservation will oblige the most moderate dispositions to make common cause, even with a man whose conduct they censure, if they see him persecuted in a way which the real spirit of the laws will not justify. The facts on which these remarks are founded are too notorious to require an application.

THIS, Sir, is the detail. In one view, behold a nation overwhelmed with debt; her revenues wasted; her trade declining; the affections of her colonies alienated; the duty of the magistrate transferred to the soldiery; a gallant army, which never fought unwillingly but against their fellow-subjects, mouldering away for want of the direction of a man of common abilities and spirit; and in the last instance, the administration of justice become odious and suspected to the whole body of the people. This deplorable scene admits of but one addition, that we are governed by counsels, from which a reasonable man can expect no remedy but poison, no relief but death.

IF, by the immediate interposition of Providence, it were possible

for us to escape a crisis so full of terror and despair, posterity will not believe the history of the present times. They will either conclude that our distresses were imaginary, or that we had the good fortune to be governed by men of acknowledged integrity and wisdom; they will not believe it possible that their ancestors could have survived or recovered from so desperate a condition, while a Duke of Grafton was prime minister, a Lord North chancellor of the exchequer, a Weymouth and a Hillsborough secretaries of state, a Granby commander in chief, and Mansfield chief criminal judge of the kingdom.

JUNIUS.

LETTER II.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

JANUARY 26. 1769.

THE kingdom swarms with such numbers of felonious robbers of private character and virtue, that no honest or good man is safe; especially as these cowardly base assassins stab in the dark, without having the courage to sign their real names to their malevolent and wicked productions. A writer, who signs himself *Junius*, in the Public Advertiser of the 21st instant, opens the deplorable situation of his country in a very affecting manner; with a pompous parade of his candour and decency, he tells us, that we see dissensions in all parts of the empire, an universal spirit of distrust and dissatisfaction, and a total loss of respect towards us in the eyes of foreign powers. But this writer, with all his boasted candour, has not told us the real cause of the evils he so pathetically enumerates. I shall take the liberty to explain the cause for him. Junius and such writers as himself occasion all the mischief complained of, by falsely and maliciously traducing the best characters in the kingdom: For, when our deluded people at home, and foreigners abroad, read the poisonous and

inflammatory libels that are daily published with impunity, to vilify those who are any way distinguished by their good qualities and eminent virtues; when they find no notice taken of or reply given to these slanderous tongues and pens, their conclusion is, that both the ministers and the nation have been fairly described; and they act accordingly. I think it therefore the duty of every good citizen to stand forth, and endeavour to undeceive the public, when the vilest arts are made use of to defame and blacken the brightest characters among us. An eminent author affirms it to be almost as criminal to hear a worthy man traduced, without attempting his justification, as to be the author of the calumny against him. For my own part, I think it a sort of misprision of treason against society. No man, therefore, who knows Lord Granby can possibly hear so good and great a character most vilely abused, without a warm and just indignation against this Junius, this high-priest of envy, malice, and all uncharitableness, who has endeavoured to sacrifice our beloved commander in chief at the altars of his horrid deities. Nor is the injury done to his lordship alone, but to the whole nation, which may too soon feel the contempt, and consequently the attacks of our late enemies, if they can be induced to believe that the person on whom the safety of these kingdoms so much depends is unequal to his high station, and destitute of those qualities which form a good general. One would have thought that his lordship's services in the cause of his country, from the battle of Culloden to his most glorious conclusion of the late war, might have entitled him to common respect and decency at least; but this uncandid indecent writer has gone so far as to turn one of the most amiable men of the age into a stupid, unfeeling, and senseless being; possessed indeed of a personal courage, but void of those essential qualities which distinguish the commander from the common soldier.

A VERY long, uninterrupted, impartial, I will add, a most disinterested friendship with Lord Granby, gives me the right to affirm,

that all Junius's assertions are false and scandalous. Lord Granby's courage, though of the brightest and most ardent kind, is among the lowest of his numerous good qualities; he was formed to excel in war by nature's liberality to his mind as well as person. Educated and instructed by his most noble father, and a most spirited as well as excellent scholar, the present Bishop of Bangor, he was trained to the nicest sense of honour, and to the truest and noblest sort of pride, that of never doing or suffering a mean action. A sincere love and attachment to his king and country, and to their glory, first impelled him to the field, where he never gained aught but honour. He impaired, through his bounty, his own fortune; for his bounty, which this writer would in vain depreciate, is founded upon the noblest of the human affections; it flows from a heart melting to goodness from the most refined humanity. Can a man, who is described as unfeeling and void of reflection, be constantly employed in seeking proper objects on whom to exercise those glorious virtues of compassion and generosity? The distressed officer, the soldier, the widow, the orphan, and a long list besides, know that vanity has no share in his frequent donations; he gives, because he feels their distresses. Nor has he ever been rapacious with one hand to be bountiful with the other; yet this uncandid Junius would insinuate, that the dignity of the commander in chief is depraved into the base office of commission broker; that is, Lord Granby bargains for the sale of commissions; for it must have this meaning, if it has any at all. But where is the man living who can justly charge his lordship with such mean practices? Why does not Junius produce him? Junius knows that he has no other means of wounding this hero than from some missile weapon, shot from an obscure corner: He seeks, as all defamatory writers do,

———spargere voces

In vulgum ambiguas———

to raise a suspicion in the minds of the people. But I hope that my countrymen will be no longer imposed upon by artful and designing men, or by wretches, who, bankrupts in business, in fame, and in

fortune, mean nothing more than to involve this country in the same common ruin with themselves. Hence it is, that they are constantly aiming their dark and too often fatal weapons against those who stand forth as the bulwark of our national safety. Lord Granby was too conspicuous a mark not to be their object. He is next attacked for being unfaithful to his promises and engagements: Where are Junius's proofs? Although I could give some instances where a breach of promise would be a virtue, especially in the case of those who would pervert the open unsuspecting moments of convivial mirth, into sly insidious applications for preferment or party-systems, and would endeavour to surprise a good man, who cannot bear to see any one leave him dissatisfied, into unguarded promises. Lord Granby's attention to his own family and relations is called selfish. Had he not attended to them, when fair and just opportunities presented themselves, I should have thought him unfeeling, and void of reflection indeed. How are any man's friends or relations to be provided for, but from the influence and protection of the patron? It is unfair to suppose that Lord Granby's friends have not as much merit as the friends of any other great man: If he is generous at the public expence, as Junius invidiously calls it, the public is at no more expence for his lordship's friends than it would be if any other set of men possessed those offices. The charge is ridiculous!

THE last charge against Lord Granby is of a most serious and alarming nature indeed. Junius asserts, that the army is mouldering away for want of the direction of a man of common abilities and spirit. The present condition of the army gives the directest lie to his assertions. It was never upon a more respectable footing with regard to discipline, and all the essentials that can form good soldiers. Lord Ligonier delivered a firm and noble palladium of our safeties into Lord Granby's hands, who has kept it in the same good order in which he received it. The strictest care has been taken to fill up the vacant commissions with such gentlemen as have the glory of their

ancestors to support, as well as their own, and are doubly bound to the cause of their king and country, from motives of private property as well as public spirit. The adjutant-general, who has the immediate care of the troops after Lord Granby, is an officer that would do great honour to any service in Europe, for his correct arrangements, good sense, and discernment upon all occasions—and for a punctuality and precision which give the most entire satisfaction to all who are obliged to consult him. The reviewing generals, who inspect the army twice a-year, have been selected with the greatest care, and have answered the important trust reposed in them in the most laudable manner. Their reports of the condition of the army are much more to be credited than those of Junius, whom I do advise to atone for his shameful aspersions, by asking pardon of Lord Granby, and the whole kingdom, whom he has offended by his abominable scandals. In short, to turn Junius's own battery against him, I must assert, in his own words, "That he has given strong assertions without proof, declamation without argument, and violent censures without dignity or moderation."

WILLIAM DRAPER.

LETTER III.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR,

FEBRUARY 7. 1769.

YOUR defence of Lord Granby does honour to the goodness of your heart. You feel, as you ought to do, for the reputation of your friend, and you express yourself in the warmest language of your passions. In any other cause, I doubt not, you would have cautiously weighed the consequences of committing your name to the licentious discourses and malignant opinions of the world. But here, I

presume, you thought it would be a breach of friendship to lose one moment in consulting your understanding, as if an appeal to the public were no more than a military *coup de main*, where a brave man has no rules to follow but the dictates of his courage. Touched with your generosity, I freely forgive the excesses into which it has led you; and, far from resenting those terms of reproach, which, considering that you are an advocate for decorum, you have heaped upon me rather too liberally, I place them to the account of an honest unreflecting indignation, in which your cooler judgment and natural politeness had no concern. I approve of the spirit with which you have given your name to the public; and, if it were a proof of any thing but spirit, I should have thought myself bound to follow your example. I should have hoped that even *my* name might have carried some authority with it, if I had not seen how very little weight or consideration a printed paper receives even from the respectable signature of Sir William Draper.

You begin with a general assertion, that writers, such as I am, are the real cause of all the public evils we complain of. And do you really think, Sir William, that the licentious pen of a political writer is able to produce such important effects? A little calm reflection might have shown you, that national calamities do not arise from the description, but from the real character and conduct, of ministers. To have supported your assertion, you should have proved that the present ministry are unquestionably the *best and brightest* characters of the kingdom; and that, if the affections of the colonies have been alienated, if Corsica has been shamefully abandoned, if commerce languishes, if public credit is threatened with a new debt, and your own Manilla ransom most dishonourably given up, it has all been owing to the malice of political writers, who will not suffer the best and brightest characters (meaning still the present ministry) to take a single right step for the honour or interest of the nation. But it seems you were a little tender of coming to particulars. Your conscience in-

finuated to you, that it would be prudent to leave the characters of Grafton, North, Hillsborough, Weymouth, and Mansfield, to shift for themselves; and truly, Sir William, the part you *have* undertaken is at least as much as you are equal to.

WITHOUT disputing Lord Granby's courage, we are yet to learn in what articles of military knowledge nature has been so very liberal to his mind. If you have served with him, you ought to have pointed out some instances of able disposition and well-concerted enterprize, which might fairly be attributed to his capacity as a general. It is you, Sir William, who make your friend appear awkward and ridiculous, by giving him a laced suit of tawdry qualifications, which nature never intended him to wear.

YOU say, he has acquired nothing but honour in the field. Is the Ordnance nothing? Are the Blues nothing? Is the command of the army, with all the patronage annexed to it, nothing? Where he got these *nothings* I know not; but you at least ought to have told us where he deserved them.

As to his bounty, compassion, &c. it would have been but little to the purpose though you had proved all that you have asserted. I meddle with nothing but his character as commander in chief; and, though I acquit him of the baseness of selling commissions, I still assert, that his military cares have never extended beyond the disposal of vacancies; and I am justified by the complaints of the whole army, when I say, that, in this distribution, he consults nothing but parliamentary interest, or the gratification of his immediate dependents. As to his servile submission to the reigning ministry, let me ask, whether he did not desert the cause of the whole army when he suffered Sir Jeffery Amherst to be sacrificed, and what share he had in recalling that officer to the service? Did he not betray the just interest of the army, in permitting Lord Percy to have a regiment? and

does he not at this moment give up all character and dignity as a gentleman, in receding from his own repeated declarations in favour of Mr Wilkes?

IN the two next articles I think we are agreed. You candidly admit, that he often makes such promises as it is a virtue in him to violate, and that no man is more assiduous to provide for his relations at the public expence. I did not urge the last as an absolute vice in his disposition, but to prove that a *careless disinterested spirit* is no part of his character; and as to the other, I desire it may be remembered, that I never descended to the indecency of inquiring into his *convivial hours*. It is you, Sir William Draper, who have taken care to represent your friend in the character of a drunken landlord, who deals out his promises as liberally as his liquor, and will suffer no man to leave his table either sorrowful or sober. None but an intimate friend, who must frequently have seen him in these unhappy disgraceful moments, could have described him so well.

THE last charge, of the neglect of the army, is indeed the most material of all. I am sorry to tell you, Sir William, that, in this article, your first fact is false; and as there is nothing more painful to me than to give a direct contradiction to a gentleman of your appearance, I could wish, that, in your future publications, you would pay a greater attention to the truth of your premises, before you suffer your genius to hurry you to a conclusion. Lord Ligonier *did not* deliver the army (which you, in classical language, are pleased to call a palladium) into Lord Granby's hands. It was taken from him much against his inclination, some two or three years before Lord Granby was commander in chief. As to the state of the army, I should be glad to know where you have received your intelligence: Was it in the rooms at Bath, or at your retreat at Clifton? The reports of reviewing generals comprehend only a few regiments in England, which, as they are immediately under the royal inspection, are per-

haps in some tolerable order: But, do you know any thing of the troops in the West Indies, the Mediterranean, and North America; to say nothing of a whole army absolutely ruined in Ireland? Inquire a little into facts, Sir William, before you publish your next panegyric upon Lord Granby; and, believe me, you will find there is a fault at head-quarters, which even the acknowledged care and abilities of the adjutant-general cannot correct.

PERMIT me now, Sir William, to address myself personally to you, by way of thanks for the honour of your correspondence. You are by no means undeserving of notice; and it may be of consequence even to Lord Granby, to have it determined, whether or no the man who has praised him so lavishly be himself deserving of praise. When you returned to Europe, you zealously undertook the cause of that gallant army, by whose bravery at Manilla your own fortune had been established: You complained, you threatened, you even appealed to the public in print. By what accident did it happen, that, in the midst of all this bustle, and all these clamours for justice to your injured troops, the name of the Manilla ransom was suddenly buried in a profound, and, since that time, an uninterrupted silence? Did the ministry suggest any motives to you, strong enough to tempt a man of honour to desert and betray the cause of his fellow-soldiers? Was it that blushing ribbon, which is now the perpetual ornament of your person? Or was it that regiment, which you afterwards (a thing unprecedented among soldiers) sold to Colonel Gisborne? Or was it that government, the full pay of which you are contented to hold, with the half-pay of an Irish colonel? And do you now, after a retreat not very like that of Scipio, presume to intrude yourself, unthought-of, uncalled-for, upon the patience of the public? Are your flatteries of the commander in chief directed to another regiment, which you may again dispose of on the same honourable terms? We know your prudence, Sir William, and I should be sorry to stop your preferment.

JUNIUS.

LETTER IV.

TO JUNIUS.

SIR,

FEBRUARY 17. 1769.

I RECEIVED Junius's favour last night: He is determined to keep his advantage by the help of his mask; it is an excellent protection; it has saved many a man from an untimely end. But whenever he will be honest enough to lay it aside, avow himself, and produce the face which has so long lurked behind it, the world will be able to judge of his motives for writing such infamous invectives. His real name will discover his freedom and independency, or his servility to a faction. Disappointed ambition, resentment for defeated hopes, and desire of revenge, assume but too often the appearance of public spirit; but be his designs wicked or charitable, Junius should learn, that it is possible to condemn measures, without a barbarous and criminal outrage against men. Junius delights to mangle carcases with a hatchet; his language and instrument have a great connection with Claremarket, and, to do him justice, he handles his weapon most admirably. One would imagine he had been taught to throw it by the savages of America. It is therefore high time for me to step in once more to shield my friend from this merciless weapon, although I may be wounded in the attempt. But I must first ask Junius, by what forced analogy and construction the moments of convivial mirth are made to signify indecency, a violation of engagements, a drunken landlord, and a desire that every one in company should be drunk likewise? He must have culled all the flowers of St Giles's and Billingsgate to have produced such a piece of oratory. Here the hatchet descends with tenfold vengeance; but, alas! it hurts no one but its master! For Junius must not think to put words into my mouth, that seem too foul even for his own.

My friend's political engagements I know not ; so cannot pretend to explain them, or assert their consistency. I know not whether Junius be considerable enough to belong to any party : If he should be so, can he affirm that he has always adhered to one set of men and measures ? Is he sure that he has never sided with those whom he was first hired to abuse ? Has he never abused those he was hired to praise ? To say the truth, most mens politics fit much too loosely about them. But as my friend's military character was the chief object that engaged me in this controversy, to that I shall return.

JUNIUS asks what instances my friend has given of his military skill and capacity as a general ? When and where he gained his honour ? When he deserved his emoluments ? The united voice of the army which served under him, the glorious testimony of Prince Ferdinand, and of vanquished enemies, all Germany will tell him. Junius repeats the complaints of the army against parliamentary influence. I love the army too well, not to wish that such influence were less. Let Junius point out the time when it has not prevailed. It was of the least force in the time of that great man, the late Duke of Cumberland, who, as a prince of the blood, was able as well as willing to stem a torrent which would have overborne any private subject. In time of war this influence is small. In peace, when discontent and faction have the surest means to operate, especially in this country, and when from a scarcity of public spirit the wheels of government are rarely moved but by the power and force of obligations, its weight is always too great ; yet, if this influence at present has done no greater harm than the placing Earl Percy at the head of a regiment, I do not think that either the rights or best interests of the army are sacrificed and betrayed, or the nation undone. Let me ask Junius, if he knows any one nobleman in the army who has had a regiment by seniority ? I feel myself happy in seeing young noblemen of illustrious name and great property come among us. They are an additional security to the kingdom from foreign or do-

metic slavery. Junius needs not be told, that, should the time ever come, when this nation is to be defended only by those who have nothing more to lose than their arms and their pay, its danger will be great indeed. A happy mixture of men of quality with soldiers of fortune is always to be wished for. But the main point is still to be contended for, I mean the discipline and condition of the army; and I must still maintain, though contradicted by Junius, that it was never upon a more respectable footing, as to all the essentials that can form good soldiers, than it is at present. Junius is forced to allow, that our army at home may be in some tolerable order; yet how kindly does he invite our late enemies to the invasion of Ireland, by assuring them that the army in that kingdom is totally ruined! (The colonels of that army are much obliged to him.) I have too great an opinion of the military talents of the lord lieutenant, and of all their diligence and capacity, to believe it. If from some strange unaccountable fatality, the people of that kingdom cannot be induced to consult their own security by such an effectual augmentation as may enable the troops there to act with power and energy, is the commander in chief here to blame? or is he to blame, because the troops in the Mediterranean, in the West Indies, in America, labour under great difficulties from the scarcity of men, which is but too visible all over these kingdoms? Many of our forces are in climates unfavourable to British constitutions; their loss is in proportion. Britain must recruit all these regiments from her own emaciated bosom, or, more precariously, by Catholics from Ireland. We are likewise subject to the fatal drains to the East Indies, to Senegal, and the alarming emigrations of our people to other countries. Such depopulation can only be repaired by a long peace, or by some sensible bill of naturalization.

I MUST now take the liberty to talk to Junius on my own account. He is pleased to tell me that he addresses himself to me *personally*; I shall be glad to see him. It is his *impersonality* that I com-

plain of, and his invifible attacks ; for his dagger in the air is only to be regarded becaufe one cannot fee the hand which holds it ; but had it not wounded other people more deeply than myfelf, I fhould not have obtruded myfelf at all on the patience of the public.

MARK how a plain tale fhall put him down, and transfufe the blufh of my ribbon into his own cheeks. Junius tells me, that, at my return, I zealoufly undertook the caufe of the gallant army by whole bravery at Manilla my own fortunes were eftablifhed ; that I complained, that I even appealed to the public. I did fo ; I glory in having done fo, as I had an undoubted right to vindicate my own character attacked by a Spanifh memorial, and to affert the rights of my brave companions. I glory likewife, that I have never taken up my pen but to vindicate the injured. Junius asks by what accident did it happen, that, in the midft of all this bufle, and all the clamours for juftice to the injured troops, the Manilla ranfom was fuddenly buried in a profound, and, fince that time, an uninterrupted filence ? I will explain the caufe to the public. The feveral minifters who have been employed fince that time have been very defirous to do juftice from two moft laudable motives, a ftrong inclination to affift injured bravery, and to acquire a well deferved popularity to themfelves. Their efforts have been in vain. Some were ingenuous enough to own, that they could not think of involving this diftrefsed nation into another war for our private concerns. In fhort, our rights for the prefent are facrificed to national convenience ; and I muft confeß, that, although I may lofe five and twenty thoufand pounds by their acquiefcence to this breach of faith in the Spaniards, I think they are in the right to temporize, confidering the critical fituation of this country, convulfed in every part by poifon infufed by anonymous, wicked, and incendiary writers. Lord Shelburne will do me the juftice to own, that, in September laft, I waited upon him with a joint memorial from the admiral Sir S. Cornifh and myfelf, in behalf of our injured companions. His lordfhip was as frank upon the oc-

casion as other secretaries had been before him. He did not deceive us by giving any immediate hopes of relief.

JUNIUS would basely insinuate, that my silence may have been purchased by my government, by my *blushing* ribbon, by my regiment, by the sale of that regiment, and by half-pay as an Irish colonel.

HIS Majesty was pleased to give me my government for my service at Madras. I had my first regiment in 1757. Upon my return from Manilla, his Majesty, by Lord Egremont, informed me that I should have the first vacant red ribbon, as a reward for many services in an enterprize which I had planned as well as executed. The Duke of Bedford and Mr. Grenville confirmed those assurances many months before the Spaniards had protested the ransom bills. To accommodate Lord Clive, then going upon a most important service to Bengal, I waved my claim to the vacancy which then happened. As there was no other vacancy until the Duke of Grafton and Lord Rockingham were joint ministers, I was then honoured with the order: And it is surely no small honour to me, that, in such a succession of ministers, they were all pleased to think that I had deserved it; in my favour they were all united. Upon the reduction of the 79th regiment, which had served so gloriously in the East Indies, his Majesty, unsolicited by me, gave me the 16th regiment of foot as an equivalent. My motives for retiring afterwards are foreign to the purpose; let it suffice, that his Majesty was pleased to approve of them; they are such as no man can think indecent, who knows the shocks that repeated vicissitudes of heat and cold, of dangerous and sickly climates, will give to the best constitutions in a pretty long course of service. I resigned my regiment to Colonel Gilborne, a very good officer, for his half-pay, L.200 Irish annuity; so that, according to Junius, I have been bribed to say nothing more of the Manilla ransom, and sacrifice those brave men, by the strange avarice of

accepting three hundred and eighty pounds per annum, and giving up eight hundred ! If this be bribery, it is not the bribery of these times. As to my flattery, those who know me will judge of it. By the asperity of Junius's style, I cannot indeed call him a flatterer, unless he be as a cynick or a mastiff; if he wags his tail, he will still growl, and long to bite. The public will now judge of the credit that ought to be given to Junius's writings, from the falsities that he has insinuated with respect to myself.

WILLIAM DRAPER.

LETTER V.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR,

FEBRUARY 21. 1769.

I SHOULD justly be suspected of acting upon motives of more than common enmity to Lord Granby, if I continued to give you fresh materials or occasion for writing in his defence. Individuals who hate, and the public who despise, have read *your* letters, Sir William, with infinitely more satisfaction than mine. Unfortunately for him, his reputation, like that unhappy country to which you refer me for his last military achievements, has suffered more by his friends than his enemies. In mercy to him, let us drop the subject. For my own part, I willingly leave it to the public to determine whether your vindication of your friend has been as able and judicious, as it was certainly well intended; and you, I think, may be satisfied with the warm acknowledgements he already owes you for making him the principal figure in a piece, in which, but for your amicable assistance, he might have passed without particular notice or distinction.

In justice to your friends, let your future labours be confined to

the care of your own reputation. Your declaration, that you are happy in seeing young noblemen *come among us*, is liable to two objections. With respect to Lord Percy, it means nothing, for he was already in the army. He was aid-de-camp to the King, and had the rank of colonel. A regiment therefore could not make him a more military man, though it made him richer, and probably at the expence of some brave, deserving, friendless officer. The other concerns yourself. After selling the companions of your victory in one instance, and after selling your profession in the other, by what authority do you presume to call yourself a soldier? The plain evidence of facts is superior to all declarations. Before you were appointed to the 16th regiment, your complaints were a distress to government; from that moment you were silent. The conclusion is inevitable. You insinuate to us that your ill state of health obliged you to quit the service. The retirement necessary to repair a broken constitution would have been as good a reason for not accepting, as for resigning, the command of a regiment. There is certainly an error of the press, or an affected obscurity in that paragraph, where you speak of your bargain with Colonel Gisborne. Instead of attempting to answer what I do not really understand, permit me to explain to the public what I really know. In exchange for your regiment, you accepted of a colonel's half-pay (at least L.220 a-year), and an annuity of L.200 for your own and Lady Draper's life jointly: And is this the losing bargain, which you would represent to us, as if you had given up an income of L.800 a-year for L.380? Was it decent, was it honourable, in a man who pretends to love the army, and calls himself a soldier, to make a traffic of the royal favour, and turn the highest honour of an active profession into a sordid provision for himself and his family? It were unworthy of me to press you farther. The contempt with which the whole army heard of the manner of your retreat, assures me, that, as your conduct was not justified by precedent, it will never be thought an example for imitation.

THE last and most important question remains. When you receive your half-pay, do you, or do you not, take a solemn oath, or sign a declaration upon your honour, to the following effect? *That you do not actually hold any place of profit, civil or military, under his Majesty.* The charge which the question plainly conveys against you is of shocking a complexion, that I sincerely wish you may be able to answer it well, not merely for the colour of your reputation, but for your own peace of mind.

JUNIUS.

LETTER VI.

TO JUNIUS.

SIR,

FEBRUARY 27. 1769.

I HAVE a very short answer for Junius's important question: I do not either take an oath, or declare upon honour, that I have no *place* of profit, *civil* or military, when I receive the half-pay as an Irish colonel. My most gracious Sovereign gives it me as a pension; he was pleased to think I deserved it. The annuity of L.200 Irish, and the equivalent for the half-pay, together produce no more than L.380 per annum, clear of fees and perquisites of office. I receive L.167 from my government of Yarmouth—Total L.547 per annum. My conscience is much at ease in these particulars; my friends need not blush for me.

JUNIUS makes much and frequent use of interrogations: They are arms that may be easily turned against himself. I could, by malicious interrogation, disturb the peace of the most virtuous man in the kingdom. I could take the decalogue, and say to one man, Did you never steal? to the next, Did you never commit murder? and to Junius himself, who is putting my life and conduct to the rack, Did

you never bear false witness against thy neighbour? Junius must easily see, that, unless he affirms to the contrary in his real name, some people who may be as ignorant of him as I am, will be apt to suspect him of having deviated a little from the truth: Therefore let Junius ask no more questions. You bite against a file: Cease, viper.
W. D.

LETTER VII.

TO SIR WILLIAM DRAPER, KNIGHT OF THE BATH.

SIR,

MARCH 3. 1769.

AN academical education has given you an unlimited command over the most beautiful figures of speech. Masks, hatchets, racks, and vipers, dance through your letters in all the mazes of metaphorical confusion. These are the gloomy companions of a disturbed imagination; the melancholy madness of poetry, without the inspiration. I will not contend with you in point of composition. You are a scholar, Sir William; and, if I am truly informed, you write Latin with almost as much purity as English. Suffer me then, for I am a plain unlettered man, to continue that stile of interrogation which suits my capacity, and to which, considering the readiness of your answers, you ought to have no objection. Even Mr. Bingley * promises to answer, if put to the torture.

Do you then really think, that, if I were to ask a *most virtuous man* whether he ever committed theft or murder, it would disturb his peace of mind? Such a question might perhaps discompose the

* This man, being committed by the Court of King's Bench for a contempt, voluntarily made oath, that he would never answer interrogatories, unless he should be put to the torture.

gravity of his muscles, but I believe it would little affect the tranquillity of his conscience. Examine your own breast, Sir William, and you will discover, that reproaches and inquiries have no power to afflict either the man of unblemished integrity, or the abandoned profligate. It is the middle compound character which alone is vulnerable; the man who, without firmness enough to avoid a dishonourable action, has feeling enough to be ashamed of it.

I THANK you for the hint of the decalogue, and shall take an opportunity of applying it to some of your most virtuous friends in both houses of parliament.

YOU seem to have dropped the affair of your regiment; so let it rest. When you are appointed to another, I dare say you will not sell it either for a gross sum, or for an annuity upon lives.

I AM truly glad (for really, Sir William, I am not your enemy, nor did I begin this contest with you) that you have been able to clear yourself of a crime, though at the expence of the highest indiscretion. You say that your half-pay was given you by way of pension. I will not dwell upon the singularity of uniting in your own person two sorts of provision, which, in their own nature, and in all military and parliamentary views, are incompatible; but I call upon you to justify that declaration, wherein you charge your Sovereign with having done an act in your favour notoriously against law.—The half-pay, both in Ireland and England, is appropriated by parliament; and if it be given to persons who, like you, are legally incapable of holding it, it is a breach of law. It would have been more decent in you to have called this dishonourable transaction by its true name, a job to accommodate two persons, by particular interest and management at the castle. What sense must government have had of your services, when the rewards they have given you are only a disgrace to you.

AND now, Sir William, I shall take my leave of you for ever. Motives very different from any apprehension of your resentment, make it impossible you should ever know me. In truth, you have some reason to hold yourself indebted to me. From the lessons I have given you, you may collect a profitable instruction for your future life. They will either teach you so to regulate your conduct, as to be able to set the most malicious inquiries at defiance; or, if that be a lost hope, they will teach you prudence enough not to attract the public attention to a character, which will only pass without censure, when it passes without observation.

JUNIUS.

It has been said, I believe truly, that it was signified to Sir William Draper, as the request of Lord Granby, that he should desist from writing in his Lordship's defence. Sir William Draper certainly drew *Junius* forward to say more of Lord Granby's character than he originally intended. He was reduced to the dilemma of either being totally silenced, or of supporting his first letter. Whether Sir William had a right to reduce him to this dilemma, or to call upon him for his name, after a voluntary attack on *his* side, are questions submitted to the candour of the public. The death of Lord Granby was lamented by *Junius*. He undoubtedly owed some compensations to the public, and seemed determined to acquit himself of them. In private life, he was unquestionably that good man, who, for the interest of his country, ought to have been a great one. *Bonum virum facile dixeris; magnum libenter*. I speak of him now without partiality:—I never spoke of him with resentment. His mistakes, in public conduct, did not arise either from want of sentiment, or want of judgment, but in general from the difficulty of saying NO to the bad people who surrounded him.

As for the rest, the friends of Lord Granby should remember, that he himself thought proper to condemn, retract, and disavow, by a most solemn declaration in the House of Commons, that very system of political conduct which *Junius* had held forth to the disapprobation of the public.

LETTER VIII.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD,

MARCH 18. 1769.

BEFORE you were placed at the head of affairs, it had been a maxim of the English government, not unwillingly admitted by the people, that every ungracious or severe exertion of the prerogative should be placed to the account of the Minister; but that, whenever

an act of grace or benevolence was to be performed, the whole merit of it should be attributed to the Sovereign himself*. It was a wise doctrine, my Lord, and equally advantageous to the King and his subjects; for, while it preserved that suspicious attention with which the people ought always to examine the conduct of ministers, it tended at the same time rather to increase than diminish their attachment to the person of their Sovereign. If there be not a fatality attending every measure you are concerned in, by what treachery, or by what excess of folly, has it happened, that those ungracious acts which have distinguished your administration, and which I doubt not were entirely your own, should carry with them a strong appearance of personal interest, and even of personal enmity, in a quarter where no such interest or enmity can be supposed to exist without the highest injustice and the highest dishonour? On the other hand, by what injudicious management have you contrived it, that the only act of mercy to which you have ever advised your Sovereign, far from adding to the lustre of a character truly gracious and benevolent, should be received with universal disapprobation and disgust? I shall consider it as a ministerial measure, because it is an odious one; and as your measure, my Lord Duke, because you are the minister.

As long as the trial of this chairman was depending, it was natural enough that government should give him every possible encouragement and support. The honourable service for which he was hired, and the spirit with which he performed it, made a common cause between your Grace and him. The minister, who, by secret corruption, invades the freedom of elections, and the ruffian, who, by open violence, destroys that freedom, are embarked in the same bottom. They have the same interests, and mutually feel for each other. To do justice to your Grace's humanity, you felt for M'Quirk

* Les rois ne se font réservé que les grâces. Ils renvoient les condamnations vers leurs officiers.

MONTESQUIEU.

as you ought to do; and if you had been contented to assist him indirectly, without a notorious denial of justice, or openly insulting the sense of the nation, you might have satisfied every duty of political friendship, without commuting the honour of your Sovereign, or hazarding the reputation of his government. But when this unhappy man had been solemnly tried, convicted, and condemned; when it appeared that he had been frequently employed in the same services, and that no excuse for him could be drawn either from the innocence of his former life or the simplicity of his character; was it not hazarding too much to interpose the strength of the prerogative between this felon and the justice of his country*? You ought to have

* *Whitehall, March 11. 1769.*—His Majesty has been graciously pleased to extend his royal mercy to Edward M^cQuirk, found guilty of the murder of George Clarke, as appears by his royal warrant to the tenor following:

G E O R G E R.

WHEREAS a doubt had arisen in our royal breast concerning the evidence of the death of George Clarke, from the representations of William Bromfield, Esq. surgeon, and Solomon Starling, apothecary; both of whom, as has been represented to us, attended the deceased before his death, and expressed their opinions that he did not die of the blow he received at Brentford: And whereas it appears to us, that neither of the said persons were produced as witnesses upon the trial, though the said Solomon Starling had been examined before the coroner; and the only person called to prove that the death of the said George Clarke was occasioned by the said blow, was John Foot, surgeon, who never saw the deceased till after his death: We thought fit thereupon to refer the said representations, together with the report of the Recorder of our city of London, of the evidence given by Richard and William Beale, and the said John Foot, on the trial of Edward Quirk, otherwise called Edward Kirk, otherwise called Edward M^cQuirk, for the murder of the said Clarke, to the master, wardens, and the rest of the court of examiners of the surgeons company, commanding them likewise to take such further examination of the said persons so representing, and of said John Foot, as they might think necessary, together with the premises above mentioned, to form and report to us their opinion, "Whether it did or did not appear to them, that the said George Clarke died in consequence of the blow he received in the riot at Brentford on the 8th of December last." And the said court of examiners of the surgeons company having thereupon reported to us their opinion, "That it did not appear to them that he did;" we have thought proper to extend our royal mercy to him the said Edward Quirk, otherwise Edward Kirk, otherwise called Edward M^cQuirk, and to grant him our free pardon for the murder of the said George Clarke, of which he has been found guilty. Our will and pleasure therefore is, That he the said Edward Quirk, otherwise called Kirk, otherwise called Edward M^cQuirk, be inferted, for the said murder, in our first and next general pardon that shall come out for the poor convicts of Newgate, without any condition whatsoever; and that in the mean time you take bail for his appearance, in order to plead our said pardon. And for so doing this shall be your warrant.

Given at our court at St James's the 10th day of March 1769, in the ninth year of our reign.

By his Majesty's command,

ROCHFORD.

To our trusty and well-beloved James Eyre, Esq. Recorder of our city of London, the Sheriffs of our said city and county of Middlesex, and all others whom it may concern.

known that an example of this sort was never so necessary as at present; and certainly you must have known that the lot could not have fallen upon a more guilty object. What system of government is this? You are perpetually complaining of the riotous disposition of the lower class of people; yet, when the laws have given you the means of making an example, in every sense unexceptionable, and by far the most likely to awe the multitude, you pardon the offence, and are not ashamed to give the sanction of government to the riots you complain of, and even to future murders. You are partial perhaps to the military mode of execution; and had rather see a score of these wretches butchered by the guards, than one of them suffer death by regular course of law. How does it happen, my Lord, that, in *your* hands, even the mercy of the prerogative is cruelty and oppression to the subject?

THE measure, it seems, was so extraordinary, that you thought it necessary to give some reasons for it to the public. Let them be fairly examined.

1. You say, that *Messrs. Bromfield and Starling were not examined at Mr Quirk's trial*. I will tell your Grace why they were not. They must have been examined upon oath; and it was foreseen, that their evidence would either not benefit or might be prejudicial to the prisoner: Otherwise, is it conceivable that his counsel should neglect to call in such material evidence?

You say, that *Mr Foot did not see the deceased until after his death*. A surgeon, my Lord, must know very little of his profession, if, upon examining a wound or a contusion, he cannot determine whether it was mortal or not. While the party is alive, a surgeon will be cautious of pronouncing; whereas, by the death of the patient, he is enabled to consider both cause and effect in one view, and to speak with a certainty confirmed by experience.

YET we are to thank your Grace for the establishment of a new tribunal. Your *inquisitio post mortem* is unknown to the laws of England, and does honour to your invention. The only material objection to it is, that, if Mr. Foot's evidence was insufficient, because he did not examine the wound till after the death of the party, much less can a negative opinion, given by gentlemen who never saw the body of Mr Clarke, either before or after his decease, authorise you to supersede the verdict of a jury, and the sentence of the law.

Now, my Lord, let me ask you, Has it never occurred to your Grace, while you were withdrawing this desperate wretch from that justice which the laws had awarded, and which the whole people of England demanded against him, that there is another man, who is the favourite of his country, whose pardon would have been accepted with gratitude, whose pardon would have healed all our divisions? Have you quite forgotten that this man was once your Grace's friend? or is it to murderers only that you will extend the mercy of the Crown?

THESE are questions you will not answer, nor is it necessary.—The character of your private life, and the tenor of your public conduct, is an answer to them all.

JUNIUS.

LETTER IX.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD,

APRIL 10. 1769.

I HAVE so good an opinion of your Grace's discernment, that, when the author of the vindication of your conduct assures us, that

H

he writes from his own mere motion, without the least authority from your Grace, I should be ready enough to believe him, but for one fatal mark which seems to be fixed upon every measure in which either your personal or your political character is concerned. Your first attempt to support Sir William Proctor ended in the election of Mr. Wilkes; the second insured success to Mr. Glynn. The extraordinary step you took to make Sir James Lowther lord paramount of Cumberland has ruined his interest in that county for ever. The house list of directors was cursed with the concurrence of government; and even the miserable Dingley* could not escape the misfortune of your Grace's protection. With this uniform experience before us, we are authorised to suspect, that, when a pretended vindication of your principles and conduct in reality contains the bitterest reflections upon both, it could not have been written without your immediate direction and assistance. The author indeed calls God to witness for him, with all the sincerity, and in the very terms of an Irish evidence, *to the best of his knowledge and belief*. My Lord, you should not encourage these appeals to heaven. The pious Prince from whom you are supposed to descend made such frequent use of them in his public declarations, that, at last, the people also found it necessary to appeal to heaven in their turn. Your administration has driven us into circumstances of equal distress; beware at least how you remind us of the remedy.

You have already much to answer for: You have provoked this unhappy gentleman to play the fool once more in public life, in spite of his years and infirmities; and to show us, that, as you yourself are a singular instance of youth without spirit, the man who defends you is a no less remarkable example of age without the benefit of expe-

* This unfortunate person had been persuaded by the Duke of Grafton to set up for Middlesex, his Grace being determined to beat him in the House of Commons, if he had but a single vote. It happened unluckily that he could not prevail upon any one freeholder to put him in nomination.

rience. To follow such a writer minutely, would, like his own periods, be a labour without end. The subject too has been already discussed, and is sufficiently understood. I cannot help observing, however, that, when the pardon of M'Quirk was the principal charge against you, it would have been but a decent compliment to your Grace's understanding, to have defended you upon your own principles. What credit does a man deserve, who tells us plainly, that the facts set forth in the King's proclamation were not the true motives on which the pardon was granted; and that he wishes that those surgical reports, which first gave occasion to certain doubts in the royal breast, had not been laid before his Majesty. You see, my Lord, that even your friends cannot defend your actions, without changing your principles, nor justify a deliberate measure of government, without contradicting the main assertion on which it was founded.

THE conviction of M'Quirk had reduced you to a dilemma, in which it was hardly possible for you to reconcile your political interest with your duty. You were obliged either to abandon an active useful partizan, or to protect a felon from public justice. With your usual spirit, you preferred your interest to every other consideration; and, with your usual judgment, you founded your determination upon the only motives which should not have been given to the public.

I HAVE frequently censured Mr. Wilkes's conduct, yet your advocate reproaches me with having devoted myself to the service of sedition. Your Grace can best inform us, for which of Mr. Wilkes's good qualities you first honoured him with your friendship, or how long it was before you discovered those bad ones in him, at which, it seems, your delicacy was offended. Remember, my Lord, that you continued your connection with Mr. Wilkes long after he had been convicted of those crimes which you have since taken pains to repre-

sent in the blackest colours of blasphemy and treason. How unlucky is it that the first instance you have given us of a scrupulous regard to decorum is united with the breach of a moral obligation ! For my own part, my Lord, I am proud to affirm, that, if I had been weak enough to form such a friendship, I would never have been base enough to betray it. But, let Mr. Wilkes's character be what it may, this at least is certain, that, circumstanced as he is with regard to the public, even his vices plead for him. The people of England have too much discernment to suffer your Grace to take advantage of the failings of a private character to establish a precedent by which the public liberty is affected, and which you may hereafter, with equal ease and satisfaction, employ to the ruin of the best men in the kingdom.—Content yourself, my Lord, with the many advantages which the unfulfilled purity of your own character has given you over your unhappy deserted friend. Avail yourself of all the unforgiving piety of the court you live in, and bless God that you “are not as other men are, extortioners, unjust, adulterers, or even as this publican.” In a heart void of feeling, the laws of honour and good faith may be violated with impunity, and there you may safely indulge your genius. But the laws of England shall not be violated, even by your holy zeal to oppress a sinner ; and though you have succeeded in making him a tool, you shall not make him the victim of your ambition.

JUNIUS.

LETTER X.

TO MR. EDWARD WESTON.

SIR,

APRIL 21. 1769.

I SAID you were an old man without the benefit of experience. It seems you are also a volunteer with the stipend of twenty commis-

ñons ; and, at a period when all prospects are at an end, you are still looking forward to rewards which you cannot enjoy. No man is better acquainted with the bounty of government than you are.

———ton impudence,
 Temeraire vieillard, aura sa recompense.

BUT I will not descend to an altercation either with the impudence of your age or the peevishness of your diseases. Your pamphlet, ingenious as it is, has been so little read, that the public cannot know how far you have a right to give me the lie, without the following citation of your own words.

Page 6—" 1. THAT he is persuaded that the motives which he (Mr. Weston) has alleged, must appear fully sufficient, with or without the opinions of the surgeons.

" 2. THAT those very motives MUST HAVE BEEN the foundation on which the Earl of Rochford thought proper, &c.

" 3. THAT he CANNOT BUT REGRET that the Earl of Rochford seems to have thought proper to lay the chirurgical reports before the King, in preference to all the other sufficient motives," &c.

LET the public determine whether this be defending government on their principles or your own.

THE stile and language you have adopted are, I confess, not ill suited to the elegance of your own manners, or to the dignity of the cause you have undertaken. Every common dauber writes rascal and villain under his pictures, because the pictures themselves have neither character nor resemblance. But the works of a master require no index : His features and colouring are taken from nature : The impression they make is immediate and uniform ; nor is it possible

to mistake his characters, whether they represent the treachery of a minister, or the abused simplicity of a king.

JUNIUS.

LETTER XI.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD,

APRIL 24. 1769.

THE system you seemed to have adopted when Lord Chatham unexpectedly left you at the head of affairs gave us no promise of that uncommon exertion of vigour, which has since illustrated your character and distinguished your administration. Far from discovering a spirit bold enough to invade the first rights of the people and the first principles of the constitution, you were scrupulous of exercising even those powers with which the executive branch of the legislature is legally invested. We have not yet forgotten how long Mr. Wilkes was suffered to appear at large, nor how long he was at liberty to canvass for the city and county, with all the terrors of an outlawry hanging over him. Our gracious Sovereign has not yet forgotten the extraordinary care you took of his dignity, and of the safety of his person, when, at a crisis which courtiers affected to call alarming, you left the metropolis exposed, for two nights together, to every species of riot and disorder. The security of the royal residence from insult was then sufficiently provided for in Mr. Conway's firmness, and Lord Weymouth's discretion; while the prime minister of Great Britain, in a rural retirement, and in the arms of faded beauty, had lost all memory of his Sovereign, his country, and himself. In these instances you might have acted with vigour, for you would have had the sanction of the laws to support you. The friends of government might have defended you without shame; and moderate men, who

with well to the peace and good order of society, might have had a pretence for applauding your conduct. But these, it seems, were not occasions worthy of your Grace's interposition. You reserved the proofs of your intrepid spirit for trials of greater hazard and importance; and now, as if the most disgraceful relaxation of the executive authority had given you a claim of credit to indulge in excesses still more dangerous, you seem determined to compensate amply for your former negligence, and to balance the non-execution of the laws with a breach of the constitution. From one extreme you suddenly start to the other, without leaving, between the weakness and the fury of the passions, one moment's interval for the firmness of the understanding.

THESE observations, general as they are, might easily be extended into a faithful history of your Grace's administration, and perhaps may be the employment of a future hour. But the business of the present moment will not suffer me to look back to a series of events, which cease to be interesting or important, because they are succeeded by a measure so singularly daring, that it excites all our attention, and engrosses all our resentment.

YOUR patronage of Mr. Luttrell has been crowned with success. With this precedent before you, with the principles on which it was established, and with a future House of Commons, perhaps less virtuous than the present, every county in England, under the auspices of the treasury, may be represented as completely as the county of Middlesex. Posterity will be indebted to your Grace for not contenting yourself with a temporary expedient, but entailing upon them the immediate blessings of your administration. Boroughs were already too much at the mercy of government. Counties could neither be purchased nor intimidated. But their solemn determined election may be rejected, and the man they detest may be appointed, by another choice, to represent them in parliament. Yet it is admitted,

that the Sheriffs obeyed the laws and performed their duty *. The return they made must have been legal and valid, or undoubtedly they would have been censured for making it. With every good natured allowance for your Grace's youth and inexperience, there are some things which you cannot but know: You cannot but know, that the right of the freeholders to adhere to their choice (even supposing it improperly exerted) was as clear and indisputable as that of the House of Commons to exclude one of their own members: Nor is it possible for you not to see the wide distance there is between the negative power of rejecting one man, and the positive power of appointing another. The right of expulsion, in the most favourable sense, is no more than the custom of parliament. The right of election is the very essence of the constitution. To violate that right, and much more to transfer it to any other set of men, is a step leading immediately to the dissolution of all government. So far forth as it operates, it constitutes a House of Commons which *does not* represent the people. A House of Commons so formed would involve a contradiction and the grossest confusion of ideas; but there are some ministers, my Lord, whose views can only be answered by reconciling absurdities, and making the same proposition, which is false and absurd in argument, true in fact.

THIS measure, my Lord, is however attended with one consequence favourable to the people, which, I am persuaded, you did not foresee ‡. While the contest lay between the ministry and Mr. Wilkes, his situation and private character gave you advantages over him, which common candour, if not the memory of your former friendship, should have forbidden you to make use of. To religious men, you had an opportunity of exaggerating the irregularities of his past life; to moderate men, you held forth the pernicious consequences

* Sir Fletcher Norton, when it was proposed to punish the Sheriffs, declared in the House of Commons, that they, in returning Mr Wilkes, had done no more than their duty.

‡ The reader is desired to mark this prophecy.

of faction. Men, who, with this character, looked no farther than to the object before them, were not dissatisfied at seeing Mr. Wilkes excluded from parliament. You have now taken care to shift the question, or, rather, you have created a new one, in which Mr. Wilkes is no more concerned than any other English gentleman. You have united this country against you on one grand constitutional point, on the decision of which our existence, as a free people, absolutely depends. You have asserted, not in words but in fact, that the representation in parliament does not depend upon the choice of the freeholders. If such a case can possibly happen once, it may happen frequently; it may happen always;—and if three hundred votes, by any mode of reasoning whatsoever, can prevail against twelve hundred, the same reasoning would equally have given Mr. Luttrell his seat with ten votes, or even with one. The consequences of this attack upon the constitution are too plain and palpable not to alarm the dullest apprehension. I trust you will find that the people of England are neither deficient in spirit nor understanding, though you have treated them as if they had neither sense to feel, nor spirit to resent. We have reason to thank God and our ancestors, that there never yet was a minister in this country who could stand the issue of such a conflict; and, with every prejudice in favour of your intentions, I see no such abilities in your Grace as should entitle you to succeed in an enterprize, in which the ablest and basest of your predecessors have found their destruction. You may continue to deceive your gracious master with false representations of the temper and condition of his subjects: You may command a venal vote, because it is the common established appendage of your office. But never hope that the freeholders will make a tame surrender of their rights, or that an English army will join with you in overturning the liberties of their country. They know that their first duty, as citizens, is paramount to all subsequent engagements; nor will they prefer the discipline or even the honours of their profession to those sacred

original rights, which belonged to them before they were soldiers, and which they claim and possess as the birth-right of Englishmen.

RETURN, my Lord, before it be too late, to that easy insipid system which you first set out with. Take back your mistress*;—the name of friend may be fatal to her, for it leads to treachery and persecution. Indulge the people. Attend Newmarket. Mr. Luttrell may again vacate his seat; and Mr. Wilkes, if not persecuted, will soon be forgotten. To be weak and inactive is safer than to be daring and criminal; and wide is the distance between a riot of the populace and a convulsion of the whole kingdom. You may live to make the experiment, but no honest man can wish you should survive it.

JUNIUS.

LETTER XII.

TO HIS GRACE THE DUKE OF GRAFTON.

MY LORD,

MAY 30. 1769.

IF the measures in which you have been most successful had been supported by any tolerable appearance of argument, I should have thought my time not ill employed in continuing to examine your conduct as a minister, and stating it fairly to the public. But when I see questions of the highest national importance carried as they have been, and the first principles of the constitution openly violated, without argument or decency, I confess I give up the cause in despair.—The meanest of your predecessors had abilities sufficient to give a colour to their measures. If they invaded the rights of the people, they

* The Duke, about this time, had separated himself from Ann Parsons; but proposed to continue united with her, on some platonic terms of friendship, which she rejected with contempt. His baseness to this woman is beyond description or belief.

did not dare to offer a direct insult to their understanding; and, in former times, the most venal parliaments made it a condition, in their bargain with the minister, that he should furnish them with some plausible pretences for selling their country and themselves.— You have had the merit of introducing a more compendious system of government and logic. You neither address yourself to the passions, nor to the understanding, but simply to the touch. You apply yourself immediately to the feelings of your friends, who, contrary to the forms of parliament, never enter heartily into a debate, until they have divided.

RELINQUISHING, therefore, all idle views of amendment to your Grace, or of benefit to the public, let me be permitted to consider your character and conduct merely as a subject of curious speculation. There is something in both which distinguishes you not only from all other ministers, but all other men; it is not that you do wrong by design, but that you should never do right by mistake. It is not that your indolence and your activity have been equally misapplied; but that the first uniform principle, or if I may call it the genius of your life, should have carried you through every possible change and contradiction of conduct, without the momentary imputation or colour of a virtue; and that the wildest spirit of inconsistency should never once have betrayed you into a wise or honourable action. This, I own, gives an air of singularity to your fortune, as well as to your disposition. Let us look back together to a scene in which a mind like yours will find nothing to repent of. Let us try, my Lord, how well you have supported the various relations in which you stood, to your sovereign, your country, your friends, and yourself. Give us, if it be possible, some excuse to posterity, and to ourselves, for submitting to your administration. If not the abilities of a great minister, if not the integrity of a patriot, or the fidelity of a friend, show us at least the firmness of a man. For the sake of your mistress, the lover shall be spared. I will not lead her into public, as

you have done, nor will I insult the memory of departed beauty.— Her sex, which alone made her amiable in your eyes, makes her respectable in mine.

THE character of the reputed ancestors of some men, has made it possible for their descendents to be vicious in the extreme, without being degenerate. Those of your Grace, for instance, left no distressing examples of virtue, even to their legitimate posterity; and you may look back with pleasure to an illustrious pedigree, in which heraldry has not left a single good quality upon record to insult or upbraid you. You have better proofs of your descent, my Lord, than the register of a marriage, or any troublesome inheritance of reputation. There are some hereditary strokes of character, by which a family may be as clearly distinguished as by the blackest features of the human face. Charles the First lived and died a hypocrite. Charles the Second was a hypocrite of another sort, and should have died upon the same scaffold. At the distance of a century, we see their different characters happily revived and blended in your Grace. Sullen and severe without religion, profligate without gaiety, you live like Charles the Second, without being an amiable companion; and, for aught I know, may die as his father did, without the reputation of a martyr.

YOU had already taken your degrees with credit in those schools in which the English nobility are formed to virtue, when you were introduced to Lord Chatham's protection*. From Newmarket, White's, and the opposition, he gave you to the world with an air of popularity, which young men usually set out with, and seldom preserve: Grave and plausible enough to be thought fit for business; too young for treachery; and, in short, a patriot of no unpromising expecta-

* To understand these passages, the reader is referred to a noted pamphlet, called, *The History of the Minority*.

tions. Lord Chatham was the earliest object of your political wonder and attachment ; yet you deserted him, upon the first hopes that offered of an equal share of power with Lord Rockingham. When the Duke of Cumberland's first negotiation failed, and when the favourite was pushed to the last extremity, you saved him, by joining with an administration in which Lord Chatham had refused to engage.— Still, however, he was your friend ;—and you are yet to explain to the world, why you consented to act without him ; or why, after uniting with Lord Rockingham, you deserted and betrayed him.— You complained that no measures were taken to satisfy your patron ; and that your friend Mr. Wilkes, who had suffered so much for the party, had been abandoned to his fate. They have since contributed not a little to your present plenitude of power ; yet, I think, Lord Chatham has less reason than ever to be satisfied ; and as for Mr. Wilkes, it is perhaps the greatest misfortune of his life, that you should have so many compensations to make in the closet for your former friendship with him. Your gracious master understands your character ; and makes you a persecutor, because you have been a friend.

LORD CHATHAM formed his last administration upon principles which you certainly concurred in, or you could never have been placed at the head of the treasury. By deserting those principles, and by acting in direct contradiction to them, in which he found you were secretly supported in the closet, you soon forced him to leave you to yourself, and to withdraw his name from an administration which had been formed on the credit of it. You had then a prospect of friendships better suited to your genius, and more likely to fix your disposition. Marriage is the point on which every rake is stationary at last ; and truly, my Lord, you may well be weary of the circuit you have taken ; for you have now fairly travelled through every sign in the political zodiac, from the Scorpion, in which you stung

Lord Chatham, to the hopes of a Virgin * in the house of Bloombury. One would think that you had had sufficient experience of the frailty of nuptial engagements, or, at least, that such a friendship as the Duke of Bedford's might have been secured to you by the auspicious marriage of your late Duchess with his nephew §. But ties of this tender nature cannot be drawn too close; and it may possibly be a part of the Duke of Bedford's ambition, after making *her* an honest woman, to work a miracle of the same sort upon your Grace. This worthy nobleman has long dealt in virtue. There has been a large consumption of it in his own family; and, in the way of traffic, I dare say, he has bought and sold more than half the representative integrity of the nation.

IN a political view, this union is not imprudent. The favour of princes is a perishable commodity. You have now a strength sufficient to command the closet; and if it be necessary to betray one friendship more, you may set even Lord Bute at defiance. Mr Stewart Mackenzie may possibly remember what use the Duke of Bedford usually makes of his power; and our gracious Sovereign, I doubt not, rejoices at this first appearance of union among his servants. His late Majesty, under the happy influence of a family connexion between his ministers, was relieved from the cares of the government. A more active prince may perhaps observe, with suspicion, by what degrees an artful servant grows upon his master, from the first unlimited professions of duty and attachment, to the painful representation of the necessity of the royal service, and soon, in regular progression, to the humble insolence of dictating in all the obsequious forms of peremptory submission. The interval is carefully employed in forming connexions, creating interests, collecting a party, and laying the foundation of double marriages; until the deluded prince,

* His Grace had lately married Miss Wrottesley, niece of the *Good Gertrude, Duchess of Bedford*.

§ Miss Liddell, after her divorce from the Duke, married Lord Upper Ossory.

who thought he had found a creature prostituted to his service, and insignificant enough to be always dependent upon his pleasure, finds him at last too strong to be commanded, and too formidable to be removed.

YOUR Grace's public conduct, as a minister, is but the counter part of your private history; the same inconsistency, the same contradictions. In America we trace you, from the first opposition to the stamp act, on principles of convenience, to Mr. Pitt's surrender of the right; then forward to Lord Rockingham's surrender of the fact; then back again to Lord Rockingham's declaration of the right; then forward to taxation with Mr. Townshend; and in the last instance, from the gentle Conway's undetermined discretion, to blood and compulsion with the Duke of Bedford: Yet, if we may believe the simplicity of Lord North's eloquence, at the opening of next sessions you are once more to be the patron of America. Is this the wisdom of a great minister? or is it the ominous vibration of a pendulum? Had you no opinion of your own, my Lord? or was it the gratification of betraying every party with which you have been united, and of deserting every political principle in which you had concurred?

YOUR enemies may turn their eyes without regret from this admirable system of provincial government. They will find gratification enough in the survey of your domestic and foreign policy.

If, instead of disowning Lord Shelburne, the British Court had interposed with dignity and firmness, you know, my Lord, that Corsica would never have been invaded. The French saw the weakness of a distracted ministry, and were justified in treating you with contempt. They would probably have yielded in the first instance, rather than hazard a rupture with this country; but, being once engaged, they cannot retreat without dishonour. Common sense fore-

fees consequences which have escaped your Grace's penetration. Either we suffer the French to make an acquisition, the importance of which you have probably no conception of; or we oppose them by an underhand management, which only disgraces us in the eyes of Europe, without answering any purpose of policy or prudence.—From secret, indirect assistance, a transition to some more open decisive measures becomes unavoidable; till at last we find ourselves principal in the war, and are obliged to hazard every thing for an object which might have originally been obtained without expence or danger. I am not versed in the politics of the north; but this I believe is certain, that half the money you have distributed to carry the expulsion of Mr. Wilkes, or even your secretary's share in the last subscription, would have kept the Turks at your devotion. Was it economy, my Lord? or did the coy resistance you have constantly met with in the British senate make you despair of corrupting the Divan? Your friends indeed have the first claim upon your bounty; but if five hundred pounds a-year can be spared in pension to Sir John Moore, it would not have disgraced you to have allowed something to the secret service of the public.

YOU will say, perhaps, that the situation of affairs at home demanded and engrossed the whole of your attention. Here, I confess, you have been active. An amiable accomplished prince ascends the throne under the happiest of all auspices, the acclamations and united affections of his subjects. The first measures of his reign, and even the odium of a favourite, were not able to shake their attachment. *Your* services, my Lord, have been more successful. Since you were permitted to take the lead, we have seen the natural effects of a system of government at once both odious and contemptible. We have seen the laws sometimes scandalously relaxed, sometimes violently stretched beyond their tone. We have seen the person of the Sovereign insulted; and in profound peace, and with an undisputed title, the fidelity of his subjects brought by his own servants into public

question *. Without abilities, resolution, or interest, you have done more than Lord Bute could accomplish with all Scotland at his heels.

YOUR Grace, little anxious perhaps either for present or future reputation, will not desire to be handed down in these colours to posterity. You have reason to flatter yourself that the memory of your administration will survive even the forms of a constitution which our ancestors vainly hoped would be immortal; and as for your personal character, I will not, for the honour of human nature, suppose that you can wish to have it remembered. The condition of the present times is desperate indeed; but there is a debt due to those who come after us; and it is the historian's office to punish, though he cannot correct. I do not give you to posterity as a pattern to imitate, but as an example to deter; and as your conduct comprehends every thing that a wise or honest minister should avoid, I mean to make you a negative instruction to your successors for ever.

JUNIUS.

LETTER XIII.

ADDRESSED TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

JUNE 12. 1769.

THE Duke of Grafton's friends, not finding it convenient to enter into a contest with *Junius*, are now reduced to the last melancholy resource of defeated argument, the flat general charge of scurrility and falsehood. As for his style, I shall leave it to the critics.—

* The wise Duke, about this time, exerted all the influence of government to procure addresses to satisfy the King of the fidelity of his subjects. They came in very thick from *Scotland*; but, after the appearance of this letter, we heard no more of them.

The truth of his facts is of more importance to the public. They are of such a nature, that I think a bare contradiction will have no weight with any man who judges for himself. Let us take them in the order in which they appear in his last letter.

1. HAVE not the first rights of the people, and the first principles of the constitution, been openly invaded, and the very name of an election made ridiculous, by the arbitrary appointment of Mr. Luttrell?

2. DID not the Duke of Grafton frequently lead his mistress into public, and even place her at the head of his table, as if he had pulled down an ancient temple of Venus, and could bury all decency and shame under the ruins?—Is this the man who dares to talk of Mr. Wilkes's morals?

3. Is not the character of his presumptive ancestors as strongly marked in him, as if he had descended from them in a direct legitimate line? The idea of his death is only prophetic; and what is prophecy but a narrative preceding the fact!

4. WAS not Lord Chatham the first who raised him to the rank and post of a minister, and the first whom he abandoned?

5. DID he not join with Lord Rockingham, and betray him?

6. WAS he not the bosom friend of Mr. Wilkes, whom he now pursues to destruction?

7. DID he not take his degrees with credit at Newmarket, White's, and the opposition?

8. AFTER deserting Lord Chatham's principles, and sacrificing his

friendship, is he not now closely united with a set of men, who, though they have occasionally joined with all parties, have in every different situation, and at all times, been equally and constantly detested by this country?

9. HAS not Sir John Moore a pension of five hundred pounds a-year?—This may probably be an acquittance of favours upon the turf; but is it possible for a minister to offer a grosser outrage to a nation, which has so very lately cleared away the beggary of the civil list at the expence of more than half a million?

10. Is there any one mode of thinking or acting with respect to America, which the Duke of Grafton has not successively adopted and abandoned?

11. Is there not a singular mark of shame set upon this man, who has so little delicacy and feeling as to submit to the opprobrium of marrying a near relation of one who had debauched his wife?—In the name of decency, how are these amiable cousins to meet at their uncle's table? It will be a scene in Oedipus, without the distress. Is it wealth, or wit, or beauty—or is the amorous youth in love?

THE rest is notorious: That Corsica has been sacrificed to the French: That in some instances the laws have been scandalously relaxed, and in others daringly violated; and that the King's subjects have been called upon to assure him of their fidelity, in spite of the measures of his servants.

A WRITER, who builds his arguments upon facts such as these, is not easily to be confuted. He is not to be answered by general assertions or general reproaches. He may want eloquence to amuse and persuade; but, speaking truth, he must always convince.

LETTER XIV.

ADDRESSED TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

JUNE 22. 1769.

THE name of *Old Noll* is destined to be the ruin of the house of Stuart. There is an ominous fatality in it, which even the spurious descendents of the family cannot escape. Oliver Cromwell had the merit of conducting Charles the First to the block. Your correspondent OLD NOLL appears to have the same design upon the Duke of Grafton. His arguments consist better with the title he has assumed than with the principles he professes; for, though he pretends to be an advocate for the Duke, he takes care to give us the best reasons why his patron should regularly follow the fate of his presumptive ancestor. Through the whole course of the Duke of Grafton's life I see a strange endeavour to unite contradictions which cannot be reconciled. He marries to be divorced; he keeps a mistress to remind him of conjugal endearments; and he chuses such friends as it is virtue in him to desert. If it were possible for the genius of that accomplished president, who pronounced sentence upon Charles the First, to be revived in some modern sycophant *, his Grace, I doubt not, would by sympathy discover him among the dregs of mankind, and take him for a guide in those paths which naturally conduct a minister to the scaffold.

THE assertion, that two thirds of the nation approve of the *acceptance* of Mr. Luttrell (for even *Old Noll* is too modest to call it an election), can neither be maintained nor confuted by argument. It is a point of fact, on which every English gentleman will determine

* It is hardly necessary to remind the reader of the name of *Bradshaw*.

for himself. As to lawyers, their profession is supported by the indiscriminate defence of right and wrong; and I confess I have not that opinion of their knowledge or integrity, to think it necessary that they should decide for me upon a plain constitutional question. With respect to the appointment of Mr. Luttrell, the chancellor has never yet given any authentic opinion. Sir Fletcher Norton is indeed an honest, a very honest man; and the attorney general is *ex officio* the guardian of liberty, to take care, I presume, that it shall never break out into a criminal excess. Dr. Blackstone is solicitor to the Queen. The Doctor recollected that he had a place to preserve, though he forgot that he had a reputation to lose. We have now the good fortune to understand the Doctor's principles, as well as writings. For the defence of truth, of law, and reason, the Doctor's book may be safely consulted; but whoever wishes to cheat a neighbour of his estate, or to rob a country of its rights, need make no scruple of consulting the Doctor himself.

THE example of the English nobility may, for aught I know, sufficiently justify the Duke of Grafton, when he indulges his genius in all the fashionable excesses of the age; yet, considering his rank and station, I think it would do him more honour to be able to deny the fact, than to defend it by such authority. But if vice itself could be excused, there is yet a certain display of it, a certain outrage to decency, and violation of public decorum, which, for the benefit of society, should never be forgiven. It is not that he kept a mistress at home, but that he constantly attended her abroad. It is not the private indulgence, but the public insult, of which I complain. The name of Miss Parsons would hardly have been known, if the first lord of the treasury had not led her in triumph through the opera house, even in the presence of the Queen. When we see a man act in this manner, we may admit the shameless depravity of his heart, but what are we to think of his understanding?

HIS Grace, it seems, is now to be a regular domestic man ; and as an omen of the future delicacy and correctness of his conduct, he marries a first cousin of the man who had fixed that mark and title of infamy upon him, which, at the same moment, makes a husband unhappy and ridiculous. The ties of consanguinity may possibly preserve him from the same fate a second time ; and as to the distress of meeting, I take for granted the venerable uncle of these common cousins has settled the etiquette in such a manner, that, if a mistake should happen, it may reach no farther than from *Madame ma femme* to *Madame ma cousine*.

THE Duke of Grafton has always some excellent reason for deserting his friends : The age and incapacity of Lord Chatham—the debility of Lord Rockingham—or the infamy of Mr. Wilkes. There was a time indeed when he did not appear to be quite so well acquainted, or so violently offended, with the infirmities of his friends. But now, I confess, they are not ill exchanged for the youthful vigorous virtue of the Duke of Bedford ; the firmness of General Conway ; the blunt, or if I may call it the awkward, integrity of Mr. Rigby ; and the spotless morality of Lord Sandwich.

IF a late pension to a broken gambler * be an act worthy of commendation, the Duke of Grafton's connexions will furnish him with many opportunities of doing praise-worthy actions ; and as he himself bears no part of the expence, the generosity of distributing the public money for the support of virtuous families in distress will be an unquestionable proof of his Grace's humanity.

As to the public affairs, *Old Noll* is a little tender of descending to particulars. He does not deny that Corsica has been sacrificed to France ; and he confesses, that, with regard to America, his patron's

* Sir John Moore

measures have been subject to some variation ; but then he promises wonders of stability and firmness for the future. These are mysteries of which we must not pretend to judge by experience ; and truly, I fear we shall perish in the desert, before we arrive at the land of promise. In the regular course of things, the period of the Duke of Grafton's ministerial manhood should now be approaching. The imbecillity of his infant-state was committed to Lord Chatham. Charles Townshend took some care of his education at that ambiguous age which lies between the follies of political childhood and the vices of puberty. The empire of the passions soon succeeded. His earliest principles and connexions were of course forgotten or despised. The company he has lately kept has been of no service to his morals ; and, in the conduct of public affairs, we see the character of his time of life strongly distinguished. An obstinate ungovernable self-sufficiency plainly points out to us that state of imperfect maturity at which the graceful levity of youth is lost, and the solidity of experience not yet acquired. It is possible the young man may in time grow wiser, and reform ; but, if I understand his disposition, it is not of such corrigible stuff, that we should hope for any amendment in him, before he has accomplished the destruction of this country. Like other rakes, he may perhaps live to see his error, but not until he has ruined his estate.

PHILO JUNIUS..

LETTER XV.

TO HIS GRACE THE DUKE OF GRAFTON..

MY LORD,

JULY 8. 1769.

IF nature had given you an understanding qualified to keep pace with the wishes and principles of your heart, she would have made

you, perhaps, the most formidable minister that ever was employed, under a limited monarch, to accomplish the ruin of a free people. When neither the feelings of shame, the reproaches of conscience, nor the dread of punishment, form any bar to the designs of a minister, the people would have too much reason to lament their condition, if they did not find some resource in the weakness of his understanding. We owe it to the bounty of providence, that the completest depravity of the heart is sometimes strangely united with a confusion of the mind, which counteracts the most favourite principles, and makes the same man treacherous without art, and a hypocrite without deceiving. The measures, for instance, in which your Grace's activity has been chiefly exerted, as they were adopted without skill, should have been conducted with more than common dexterity. But truly, my Lord, the execution has been as gross as the design. By one decisive step, you have defeated all the arts of writing. You have fairly confounded the intrigues of opposition, and silenced the clamours of faction. A dark ambiguous system might require and furnish the materials of ingenious illustration; and in doubtful measures, the virulent exaggeration of party must be employed to rouse and engage the passions of the people. You have now brought the merits of your administration to an issue, on which every Englishman of the narrowest capacity may determine for himself. It is not an alarm to the passions, but a calm appeal to the judgment of the people, upon their own most essential interests. A more experienced minister would not have hazarded a direct invasion of the first principles of the constitution, before he had made some progress in subduing the spirit of the people. With such a cause as yours, my Lord, it is not sufficient that you have the court at your devotion, unless you can find means to corrupt or intimidate the jury.—The collective body of the people form that jury, and from *their* decision there is but one appeal.

WHETHER you have talents to support you, at a crisis of such dif-

difficulty and danger, should long since have been considered. Judging truly of your disposition, you have perhaps mistaken the extent of your capacity. Good-faith and folly have so long been received as synonymous terms, that the reverse proposition has grown into credit, and every villain fancies himself a man of abilities. It is the apprehension of your friends, my Lord, that you have drawn some hasty conclusion of this sort, and that a partial reliance upon your moral character has betrayed you beyond the depth of your understanding. You have now carried things too far to retreat. You have plainly declared to the people what they are to expect from the continuance of your administration. It is time for your Grace to consider what you also may expect in return from *their* spirit and *their* resentment.

SINCE the accession of our most gracious Sovereign to the throne, we have seen a system of government which may well be called a reign of experiments. Parties of all denominations have been employed and dismissed. The advice of the ablest men in this country has been repeatedly called for and rejected; and when the royal displeasure has been signified to a minister, the marks of it have usually been proportioned to his abilities and integrity. The spirit of the FAVOURITE had some apparent influence upon every administration; and every set of ministers preserved an appearance of duration as long as they submitted to that influence. But there were certain services to be performed for the favourite's security, or to gratify his resentments, which your predecessors in office had the wisdom or the virtue not to undertake. The moment this refractory spirit was discovered, their disgrace was determined. Lord Chatham, Mr. Grenville, and Lord Rockingham, have successively had the honour to be dismissed for preferring their duty, as servants of the public, to those compliances which were expected from their station. A submissive administration was at last gradually collected from the deserters of all parties, interests, and connexions; and nothing remained but to find

a leader for these gallant well-disciplined troops. Stand forth, my Lord, for thou art the man. Lord Bute found no resource of dependence or security in the proud imposing superiority of Lord Chatham's abilities; the shrewd inflexible judgment of Mr. Grenville; nor in the mild but determined integrity of Lord Rockingham. His views and situation required a creature void of all these properties; and he was forced to go through every division, resolution, composition, and refinement of political chemistry, before he happily arrived at the *caput mortuum* of vitriol in your Grace. Flat and insipid in your retired state, but brought into action you become vitriol again. Such are the extremes of alternate indolence or fury which have governed your whole administration. Your circumstances with regard to the people soon becoming desperate, like other honest servants, you determined to involve the best of masters in the same difficulties with yourself. We owe it to your Grace's well-directed labours, that your Sovereign has been persuaded to doubt of the affections of his subjects, and the people to suspect the virtues of their Sovereign, at a time when both were unquestionable. You have degraded the royal dignity into a base and dishonourable competition with Mr. Wilkes; nor had you abilities to carry even the last contemptible triumph over a private man, without the grossest violation of the fundamental laws of the constitution and rights of the people. But these are rights, my Lord, which you can no more annihilate than you can the soil to which they are annexed. The question no longer turns upon points of national honour and security abroad, or on the degrees of expedience and propriety of measures at home. It was not inconsistent that you should abandon the cause of liberty in another country, which you had persecuted in your own; and in the common arts of domestic corruption, we miss no part of Sir Robert Walpole's system, except his abilities. In this humble imitative line, you might long have proceeded, safe and contemptible: You might probably never have risen to the dignity of being hated, and even have been despised with moderation. But it seems you meant to be di-

tinguished ; and, to a mind like yours, there was no other road to fame but by the destruction of a noble fabric, which you thought had been too long the admiration of mankind. The use you have made of the military force introduced an alarming change in the mode of executing the laws. The arbitrary appointment of Mr. Luttrell invades the foundation of the laws themselves, as it manifestly transfers the right of legislation from those whom the people have chosen, to those whom they have rejected. With a succession of such appointments, we may soon see a House of Commons collected, in the choice of which the other towns and counties of England will have as little share as the devoted county of Middlesex.

YET I trust that your Grace will find that the people of this country are neither to be intimidated by violent measures, nor deceived by refinements. When they see Mr. Luttrell seated in the House of Commons, by mere dint of power, and in direct opposition to the choice of a whole county, they will not listen to those subtleties by which every arbitrary exertion of authority is explained into the law and privilege of parliament. It requires no persuasion of argument, but simply the evidence of the senses, to convince them, that, to transfer the right of election from the collective to the representative body of the people, contradicts all those ideas of a House of Commons, which they have received from their forefathers, and which they had already, though vainly perhaps, delivered to their children. The principles on which this violent measure has been defended have added scorn to injury, and forced us to feel that we are not only oppressed but insulted.

WITH what force, my Lord, with what protection, are you prepared to meet the united detestation of the people of England? The city of London has given a generous example to the kingdom, in what manner a king of this country ought to be addressed ; and I fancy, my Lord, it is not yet in your courage to stand between your

Sovereign and the addressees of his subjects. The injuries you have done this country are such as demand not only redress but vengeance. In vain shall you look for protection to that venal vote, which you have already paid for—Another must be purchased; and to save a minister, the House of Commons must declare themselves not only independent of their constituents, but the determined enemies of the constitution. Consider, my Lord, whether this be an extremity to which their fears will permit them to advance; or, if *their* protection should fail you, how far you are authorised to rely upon the sincerity of those smiles which a pious court lavishes without reluctance upon a libertine by profession. It is not indeed the least of the thousand contradictions which attend you, that a man, marked to the world by the grossest violation of all ceremony and decorum, should be the first servant of a court, in which prayers are morality, and kneeling is religion. Trust not too far to appearances, by which your predecessors have been deceived, though they have not been injured. Even the best of princes may at last discover, that this is a contention, in which every thing may be lost, but nothing can be gained; and as you became minister by accident, were adopted without choice, trusted without confidence, and continued without favour, be assured, that, whenever an occasion presses, you will be discarded without even the forms of regret. You will then have reason to be thankful, if you are permitted to retire to that seat of learning, which, in contemplation of the system of your life, the comparative purity of your manners with those of their high steward, and a thousand other recommending circumstances, has chosen you to encourage the growing virtue of their youth, and to preside over their education. Whenever the spirit of distributing prebends and bishopricks shall have departed from you, you will find that learned seminary perfectly recovered from the delirium of an installation, and what in truth it ought to be, once more a peaceful scene of slumber and thoughtless meditation. The venerable tutors of the university will no longer distress your modesty, by proposing you for a pattern to their pupils. The

learned dullness of declamation will be silent; and even the venal muse, though happiest in fiction, will forget your virtues: Yet, for the benefit of the succeeding age, I could wish that your retreat might be deferred, until your morals shall happily be ripened to that maturity of corruption, at which the worst examples cease to be contagious.

JUNIUS.

LETTER XVI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

JULY 19. 1769.

A GREAT deal of useless argument might have been saved in the political contest which has arisen from the expulsion of Mr. Wilkes; and the subsequent appointment of Mr. Luttrell, if the question had been once stated with precision, to the satisfaction of each party, and clearly understood by them both. But in this, as in almost every other dispute, it usually happens, that much time is lost in referring to a multitude of cases and precedents, which prove nothing to the purpose; or in maintaining propositions which are either not disputed, or, whether they be admitted or denied, are entirely indifferent as to the matter in debate; until at last the mind, perplexed and confounded with the endless subtleties of controversy, loses sight of the main question, and never arrives at truth. Both parties in the dispute are apt enough to practise these dishonest artifices: The man who is conscious of the weakness of his cause is interested in concealing it; and, on the other side, it is not uncommon to see a good cause mangled by advocates who do not know the real strength of it.

I SHOULD be glad to know, for instance, to what purpose, in the

present case, so many precedents have been produced to prove, That the House of Commons have a right to expel one of their own members; that it belongs to them to judge of the validity of elections; or, that the law of parliament is part of the law of the land? * After all these propositions are admitted, Mr. Luttrell's right to his seat will continue to be just as disputable as it was before. Not one of them is at present in agitation. Let it be admitted that the House of Commons were authorised to expel Mr. Wilkes, that they are the proper court to judge of elections, and that the law of parliament is binding upon the people, still it remains to be inquired, whether the House, by their resolution in favour of Mr. Luttrell, have or have not truly declared that law. To facilitate this inquiry, I would have the question cleared of all foreign or indifferent matter. The following state of it will probably be thought a fair one by both parties; and then I imagine there is no gentleman in this country, who will not be capable of forming a judicious and true opinion upon it. I take the question to be strictly this—"Whether or no it be the known established law of parliament, that the expulsion of a member of the House of Commons of itself creates in him such an incapacity to be re-elected, that, at a subsequent election, any votes given to him are null and void; and that any other candidate who, except the person expelled, has the greatest number of votes, ought to be the fitting member?"

To prove that the affirmative is the law of parliament, I apprehend it is not sufficient for the present House of Commons to declare it to be so. We may shut our eyes indeed to the dangerous consequences of suffering one branch of the legislature to declare new laws, without argument or example, and it may perhaps be prudent enough to submit to authority; but a mere assertion will never convince, much

* The reader will observe, that these admissions are made, not as of truths unquestionable, but for the sake of argument, and in order to bring the real question to issue.

less will it be thought reasonable to prove the right by the fact itself. The ministry have not yet pretended to such a tyranny over our minds. To support the affirmative fairly, it will either be necessary to produce some statute in which that positive provision shall have been made, that specific disability clearly created, and the consequences of it declared; or, if there be no such statute, the custom of parliament must then be referred to; and some case or cases * strictly in point must be produced, with the decision of the court upon them; for I readily admit, that the custom of parliament, once clearly proved, is equally binding with the common and statute law.

THE consideration of what may be reasonable or unreasonable makes no part of this question. We are inquiring what the law is, not what it ought to be. Reason may be applied to show the impropriety or expedience of a law, but we must have either statute or precedent to prove the existence of it. At the same time I do not mean to admit that the late resolution of the House of Commons is defensible on general principles of reason any more than in law.— This is not the hinge on which the debate turns.

SUPPOSING therefore that I have laid down an accurate state of the question, I will venture to affirm, 1st, That there is no statute existing by which that specific disability which we speak of is created. If there be, let it be produced. The argument will then be at an end.

2dly, That there is no precedent in all the proceedings of the House of Commons, which comes entirely home to the present case, viz. "Where an expelled member has been returned again, and another candidate, with an inferior number of votes, has been declared

* Precedents, in opposition to principles, have little weight with *Junius*; but he thought it necessary to meet the ministry upon their own ground.

the fitting member." If there be such a precedent, let it be given to us plainly, and I am sure it will have more weight than all the cunning arguments which have been drawn from inferences and probabilities.

THE ministry, in that laborious pamphlet which I presume contains the whole strength of the party, have declared *, " That Mr. Walpole's was the first and only instance in which the electors of any county or borough had returned a person expelled to serve in the same parliament." It is not possible to conceive a case more exactly in point. Mr. Walpole was expelled; and, having a majority of votes at the next election, was returned again. The friends of Mr. Taylor, a candidate set up by the ministry, petitioned the House that he might be the fitting member. Thus far the circumstances tally exactly, except that our House of Commons saved Mr. Luttrell the trouble of petitioning. The point of law, however, was the same. It came regularly before the House, and it was their business to determine upon it. They did determine it, for they declared Mr. Taylor *not duly elected*. If it be said that they meant this resolution as matter of favour and indulgence to the borough which had retorted Mr. Walpole upon them, in order that the burgeses, knowing what the law was, might correct their error, I answer—

I. THAT it is a strange way of arguing to oppose a supposition, which no man can prove, to a fact which proves itself.

II. THAT, if this were the intention of the House of Commons, it must have defeated itself. The burgeses of Lynn could never have known their error, much less could they have corrected it by any instruction they received from the proceedings of the House of Commons. They might perhaps have foreseen, that, if they returned Mr.

* *Case of the Middlesex election considered.* page 38.

Walpole again, he would again be rejected ; but they never could infer, from a resolution by which the candidate with the fewest votes was declared *not duly elected*, that, at a future election, and in similar circumstances, the House of Commons would reverse their resolution, and receive the same candidate as duly elected, whom they had before rejected.

THIS indeed would have been a most extraordinary way of declaring the law of parliament, and what I presume no man, whose understanding is not at cross-purposes with itself, could possibly understand.

IF, in a case of this importance, I thought myself at liberty to argue from suppositions rather than from facts, I think the probability in this instance is directly the reverse of what the ministry affirm ; and that it is much more likely that the House of Commons at that time would rather have strained a point in favour of Mr. Taylor, than that they would have violated the law of parliament, and robbed Mr. Taylor of a right legally vested in him to gratify a refractory borough, which, in defiance of them, had returned a person branded with the strongest mark of the displeasure of the House.

BUT really, Sir, this way of talking, for I cannot call it argument, is a mockery of the common understanding of the nation too gross to be endured. Our dearest interests are at stake. An attempt has been made, not merely to rob a single county of its rights, but, by inevitable consequence, to alter the constitution of the House of Commons. This fatal attempt has succeeded, and stands as a precedent recorded for ever. If the ministry are unable to defend their cause by fair argument founded on facts, let them spare us at least the mortification of being amused and deluded like children. I believe there is yet a spirit of resistance in this country which will not submit to

M.

be oppressed ; but I am sure there is a fund of good sense in this country which cannot be deceived.

JUNIUS.

LETTER XVII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

AUGUST 1. 1769.

IT will not be necessary for *Junius* to take the trouble of answering your correspondent G. A. or the quotation from a speech without doors, published in your paper of the 28th of last month. The speech appeared before *Junius's* letter ; and as the author seems to consider the great proposition, on which all his arguments depend, viz. *that Mr. Wilkes was under that known legal incapacity of which Junius speaks*, as a point granted, his speech is in no shape an answer to *Junius*, for this is the very question in debate.

As to G. A. I observe, first, that if he did not admit *Junius's* state of the question, he should have shown the fallacy of it, or given us a more exact one ;—secondly, that, considering the many hours and days which the ministry and their advocates have wasted, in public debate, in compiling large quartos, and collecting innumerable precedents, expressly to prove, that the late proceedings of the House of Commons are warranted by the law, custom, and practice of parliament, it is rather an extraordinary supposition, to be made by one of their own party even for the sake of argument, *that no such statute, no such custom of parliament, no such case in point, can be produced.*—G. A. may however make the supposition with safety. It contains nothing, but literally the fact, except that there is a case exactly in

point, with a decision of the House diametrically opposite to that which the present House of Commons came to in favour of Mr. Luttrell.

THE ministry now begin to be ashamed of the weakness of their cause; and, as it usually happens with falsehood, are driven to the necessity of shifting their ground, and changing their whole defence. At first we were told, that nothing could be clearer than that the proceedings of the House of Commons were justified by the known law and uniform custom of parliament. But now it seems, if there be no law, the House of Commons have a right to make one; and if there be no precedent, they have a right to create the first: For this I presume is the amount of the questions proposed to *Junius*. If your correspondent had been at all versed in the law of parliament, or generally in the laws of this country, he would have seen that this defence is as weak and false as the former.

THE privileges of either house of parliament, it is true, are indefinite, that is, they have not been described or laid down in any one code or declaration whatsoever; but whenever a question of privilege has arisen, it has invariably been disputed or maintained upon the footing of precedents alone*. In the course of the proceedings upon the Aylesbury election, the House of Lords resolved, "That neither house of parliament had any power, by any vote or declaration, to create to themselves any new privilege that was not warranted by the known laws and customs of parliament." And to this rule the House of Commons, though otherwise they had acted in a very arbitrary manner, gave their assent; for they affirmed that they had guided themselves by it, in asserting their privileges. Now, Sir, if this be true with respect to matters of privilege, in which the House

* This is still meeting the ministry upon their own ground; for, in truth, no precedents will support either natural injustice, or violation of positive right.

of Commons, individually and as a body, are principally concerned, how much more strongly will it hold against any pretended power in that House to create or declare a new law, by which not only the rights of the House over their own member, and those of the member himself, are included, but also those of a third and separate party, I mean the freeholders of the kingdom. To do justice to the ministry, they have not yet pretended that any one or any two of the three estates have power to make a new law, without the concurrence of the third. They know that a man who maintains such a doctrine is liable, by statute, to the heaviest penalties. They do not acknowledge that the House of Commons have assumed a *new* privilege, or declared a *new* law. On the contrary, they affirm, that their proceedings have been strictly conformable to and founded upon the ancient law and custom of parliament. Thus therefore the question returns to the point at which *Junius* had fixed it, viz. *Whether or no this be the law of parliament*. If it be not, the House of Commons had no legal authority to establish the precedent; and the precedent itself is a mere fact, without any proof of right whatsoever.

YOUR correspondent concludes with a question of the simplest nature: *Must a thing be wrong, because it has never been done before?* No. But, admitting it were proper to be done, that alone does not convey an authority to do it. As to the present case, I hope I shall never see the time, when not only a single person, but a whole country, and in effect the entire collective body of the people, may again be robbed of their birth-right by a vote of the House of Commons. But if, for reasons which I am unable to comprehend, it be necessary to trust that House with a power so exorbitant and so unconstitutional, at least let it be given to them by an act of the legislature.

PHILO JUNIUS.

LETTER XVIII.

TO SIR WILLIAM BLACKSTONE, SOLICITOR GENERAL
TO HER MAJESTY.

SIR,

JULY 29. 1769.

I SHALL make you no apology for considering a certain pamphlet, in which your late conduct is defended, as written by yourself. The personal interest, the personal resentments, and above all that wounded spirit, unaccustomed to reproach, and I hope not frequently conscious of deserving it, are signals which betray the author to us as plainly as if your name were in the title-page. You appeal to the public in defence of your reputation. We hold it, Sir, that an injury offered to an individual is interesting to society. On this principle the people of England made common cause with Mr. Wilkes. On this principle, if *you* are injured, they will join in your resentment. I shall not follow you through the insipid form of a third person, but address myself to you directly.

You seem to think the channel of a pamphlet more respectable, and better suited to the dignity of your cause, than that of a newspaper. Be it so. Yet if newspapers are scurrilous, you must confess they are impartial. They give us, without any apparent preference, the wit and argument of the ministry, as well as the abusive dulness of the opposition. The scales are equally poised. It is not the printer's fault if the greater weight inclines the balance.

YOUR pamphlet then is divided into an attack upon Mr. Grenville's character and a defence of your own. It would have been more consistent perhaps with your professed intention, to have confined yourself to the last. But anger has some claim to indulgence,

and railing is usually a relief to the mind. I hope you have found benefit from the experiment. It is not my design to enter into a formal vindication of Mr. Grenville, upon his own principles. I have neither the honour of being personally known to him, nor do I pretend to be completely master of all the facts. I need not run the risk of doing an injustice to his opinions, or to his conduct, when your pamphlet alone carries, upon the face of it, a full vindication of both.

YOUR first reflection is, that Mr. Grenville * was, of all men, the person who should not have complained of inconsistency with regard to Mr. Wilkes. This, Sir, is either an unmeaning sneer, a peevish expression of resentment, or, if it means any thing, you plainly beg the question; for whether his parliamentary conduct with regard to Mr. Wilkes has or has not been inconsistent, remains yet to be proved. But it seems he received upon the spot a sufficient chastisement for exercising *so unfairly* his talents of misrepresentation. You are a lawyer, Sir, and know better than I do upon what particular occasions a talent for misrepresentation may be *fairly* exerted; but to punish a man a second time, when he has been once sufficiently chastised, is rather too severe. It is not in the laws of England; it is not in your own commentaries; nor is it yet, I believe, in the new law you have revealed to the House of Commons. I hope this doctrine has no existence but in your own heart. After all, Sir, if you had consulted that sober discretion, which you seem to oppose with triumph to the honest jollity of a tavern, it might have occurred to you, that, although you could have succeeded in fixing a charge of inconsistency upon Mr. Grenville, it would not have tended in any shape to exculpate yourself.

YOUR next insinuation, that Sir William Meredith had hastily

* Mr. Grenville had quoted a passage from the Doctor's excellent commentaries, which directly contradicted the doctrine maintained by the Doctor in the House of Commons.

adopted the false glosses of his new ally, is of the same sort with the first. It conveys a sneer as little worthy of the gravity of your character, as it is useless to your defence. It is of little moment to the public to inquire, by whom the charge was conceived, or by whom it was adopted? The only question we ask is, Whether or no it be true? The remainder of your reflections upon Mr. Grenville's conduct destroy themselves. He could not possibly come prepared to traduce your integrity to the House. He could not foresee that you would even speak upon the question; much less could he foresee that you would maintain a direct contradiction of that doctrine which you had solemnly, disinterestedly, and upon soberest reflection, delivered to the public. He came armed indeed with what he thought a respectable authority, to support what he was convinced was the cause of truth; and I doubt not he intended to give you, in the course of the debate, an honourable and public testimony of his esteem.—Thinking highly of his abilities, I cannot however allow him the gift of divination. As to what you are pleased to call a plan coolly formed to impose upon the House of Commons, and his producing it without provocation at midnight, I consider it as the language of pique and invective, therefore unworthy of regard. But, Sir, I am sensible I have followed your example too long, and wandered from the point.

THE quotation from your commentaries is matter of record. It can neither be *altered* by your friends, nor misrepresented by your enemies; and I am willing to take your own word for what you have said in the House of Commons. If there be a real difference between what you have written and what you have spoken, you confess that your book ought to be the standard. Now, Sir, if words mean any thing, I apprehend, that, when a long enumeration of disqualifications (whether by statute or the custom of parliament) concludes with these general comprehensive words, “But, subject to these restrictions and disqualifications, *every* subject of the realm is eligible of common

right," a reader of plain understanding must of course rest satisfied that no species of disqualification whatsoever had been omitted. The known character of the author, and the apparent accuracy with which the whole work is compiled, would confirm him in his opinion; nor could he possibly form any other judgment, without looking upon your commentaries in the same light in which you consider those penal laws which, though not repealed, are fallen into disuse, and are now in effect A SNARE TO THE UNWARY*.

You tell us indeed that it was not part of your plan to specify any temporary incapacity; and that you could not, without a spirit of prophecy, have specified the disability of a private individual, subsequent to the period at which you wrote. What your plan was, I know not; but what it should have been, in order to complete the work you have given us, is by no means difficult to determine. The incapacity, which you call temporary, may continue seven years; and though you might not have foreseen the particular case of Mr. Wilkes, you might and should have foreseen the possibility of *such* a case, and told us how far the House of Commons were authorized to proceed in it by the law and custom of parliament. The freeholders of Middlesex would then have known what they had to trust to, and would never have returned Mr. Wilkes, when Colonel Luttrell was a candidate against him. They would have chosen some indifferent person, rather than submit to be represented by the object of their contempt and detestation.

YOUR attempt to distinguish between disabilities which affect whole classes of men, and those which affect individuals only, is really unworthy of your understanding. Your commentaries had taught me,

* If, in stating the law upon any point, a judge deliberately affirms that he has included *every* case, and it should appear that he has purposely omitted a material case, he does in effect lay a snare for the unwary.

that, although the instance in which a penal law is exerted be particular, the laws themselves are general. They are made for the benefit and instruction of the public, though the penalty falls only upon an individual. You cannot but know, Sir, that what was Mr. Wilkes's case yesterday may be your's or mine to-morrow, and that consequently the common right of every subject of the realm is invaded by it. Professing therefore to treat of the constitution of the House of Commons, and of the laws and customs relative to that constitution, you certainly were guilty of a most unpardonable omission in taking no notice of a right and privilege of the House, more extraordinary and more arbitrary than all the others they possess put together. If the expulsion of a member, not under any legal disability, of itself creates in him an incapacity to be elected, I see a ready way marked out, by which the majority may at any time remove the honestest and ablest men who happen to be in opposition to them. To say that they *will not* make this extravagant use of their power, would be a language unfit for a man so learned in the laws as you are. By your doctrine, Sir, they *have* the power; and laws, you know, are intended to guard against what men *may* do, not to trust to what they *will* do.

UPON the whole, Sir, the charge against you is of a plain simple nature: It appears even upon the face of your own pamphlet. On the contrary, your justification of yourself is full of subtlety and refinement, and in some places not very intelligible. If I were personally your enemy, I should dwell, with a malignant pleasure, upon those great and useful qualifications which you certainly possess, and by which you once acquired, though they could not preserve to you, the respect and esteem of your country. I should enumerate the honours you have lost, and the virtues you have disgraced: But having no private resentments to gratify, I think it sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself.

JUNIUS.

LETTER XIX.

ADDRESSED TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

AUGUST 14. 1769.

A CORRESPONDENT of the St. James's Evening Post first wilfully misunderstands Junius, then censures him for a bad reasoner. Junius does not say that it was incumbent upon Dr. Blackstone to foresee and state the crimes for which Mr. Wilkes was expelled. If, by a spirit of prophecy, he had even done so, it would have been nothing to the purpose. The question is, not for what particular offences a person may be expelled; but generally whether by the law of parliament expulsion alone creates a disqualification. If the affirmative be the law of parliament, Dr. Blackstone might and should have told us so. The question is not confined to this or that particular person, but forms one great general branch of disqualification, too important in itself, and too extensive in its consequences, to be omitted in an accurate work expressly treating of the law of parliament.

THE truth of the matter is evidently this. Dr. Blackstone, while he was speaking in the House of Commons, never once thought of his commentaries, until the contradiction was unexpectedly urged, and stared him in the face. Instead of defending himself upon the spot, he sunk under the charge, in an agony of confusion and despair. It is well known that there was a pause of some minutes in the House, from a general expectation that the Doctor would say something in his own defence; but it seems his faculties were too much overpowered to think of those subtleties and refinements which have since occurred to him. It was then Mr. Grenville received the severe chastisement, which the Doctor mentions with so much triumph. *I wish the honourable gentleman, instead of shaking his head, would*

Strike a good argument out of it. If to the elegance, novelty, and bitterness of this ingenious sarcasm, we add the natural melody of the amiable Sir Fletcher Norton's pipe, we shall not be surprised that Mr. Grenville was unable to make him any reply.

As to the Doctor, I would recommend it to him to be quiet. If not, he may perhaps hear again from Junius himself.

PHILO JUNIUS.

POSTSCRIPT TO A PAMPHLET INTITLED,

'An Answer to the Question stated.'

Supposed to be written by Dr. Blackstone, Solicitor to the Queen,
in Answer to Junius's Letter.

SINCE these papers were sent to the press, a writer in the public papers, who subscribes himself Junius, has made a feint of bringing this question to a short issue. Though the foregoing observations contain, in my opinion at least, a full refutation of all that this writer has offered, I shall however bestow a very few words upon him. It will cost me very little trouble to unravel and expose the sophistry of his argument.

"I TAKE the question (says he) to be strictly this: Whether or no it be the known established law of parliament, that the expulsion of a member of the House of Commons of itself creates in him such an incapacity to be re-elected, that, at a subsequent election, any votes given to him are null and void; and that any other candidate, who, except the person expelled, has the greatest number of votes, ought to be the fitting member."

WAVING for the present any objection I may have to this state of the question, I shall venture to meet our champion upon his own ground; and attempt to support the affirmative of it, in one of the two ways by which he says it can be alone fairly supported.—“If there be no statute (says he) in which the specific disability is clearly created, &c. (and we acknowledge there is none), the custom of parliament must then be referred to, and some case or cases, strictly in point, must be produced, with the decision of the court upon them.” Now I assert, that this has been done. Mr. Walpole’s case is strictly in point, to prove, that expulsion creates absolute incapacity of being re-elected. This was the clear decision of the House upon it; and was a full declaration that incapacity was the necessary consequence of expulsion. The law was as clearly and firmly fixed by this resolution, and is as binding in every subsequent case of expulsion, as if it had been declared by an express statute, “that a member expelled by a resolution of the House of Commons shall be deemed incapable of being re-elected.” Whatever doubt then there might have been of the law before Mr. Walpole’s case, with respect to the full operation of a vote of expulsion, there can be none now. The decision of the House upon this case is strictly in point to prove, that expulsion creates absolute incapacity in law of being re-elected.

BUT incapacity in law in this instance must have the same operation and effect with incapacity in law in every other instance. Now, incapacity of being re-elected implies in its very terms, that any votes given to the incapable person at a subsequent election are null and void. This is its necessary operation, or it has no operation at all: It is *vox et præterea nihil*. We can no more be called upon to prove this proposition than we can to prove that a dead man is not alive, or that twice two are four. When the terms are understood, the proposition is self-evident.

LASTLY, it is, in all cases of election, the known and established

law of the land, grounded upon the clearest principles of reason and common sense, that, if the votes given to one candidate are null and void, they cannot be opposed to the votes given to another candidate: They cannot affect the votes of such candidate at all. As they have on the one hand no positive quality to add or establish, so have they on the other hand no negative one to subtract or destroy. They are, in a word, a mere non-entity. Such was the determination of the House of Commons in the Malden and Bedford elections; cases strictly in point to the present question, as far as they are meant to be in point. And to say that they are not in point in all circumstances, in those particularly which are independent of the proposition which they are quoted to prove, is to say no more than that Malden is not Middlesex, nor Serjeant Comyns Mr. Wilkes.

LET us see then how our proof stands. Expulsion creates incapacity, incapacity annihilates any votes given to the incapable person; the votes given to the qualified candidate stand upon their own bottom, firm and untouched, and can alone have effect. This, one would think, would be sufficient. But we are stopped short, and told, that none of our precedents come home to the present case; and are challenged to produce "a precedent in all the proceedings of the House of Commons that does come home to it, viz. *where an expelled member has been returned again, and another candidate, with an inferior number of votes, has been declared the sitting member.*"

INSTEAD of a precedent, I will beg leave to put a case, which, I fancy, will be quite as decisive to the present point. Suppose another Sachaverel (and every party must have its Sachaverel) should, at some future election, take it into his head to offer himself a candidate for the county of Middlesex: He is opposed by a candidate, whose coat is of a different colour; but, however, of a very good colour. The divine has an indisputable majority; nay, the poor layman is absolutely distanced. The sheriff, after having had his conscience well

informed by the reverend casuist, returns him, as he supposes, duly elected. The whole House is in an uproar at the apprehension of so strange an appearance amongst them. A motion however is at length made, that the person was incapable of being elected, that his election therefore is null and void, and that his competitor ought to have been returned. No, says a great orator, first show me your law for this proceeding. “Either produce me a statute in which the specific disability of a clergyman is created, or produce me a precedent *where a clergyman has been returned, and another candidate, with an inferior number of votes, has been declared the fitting member.*” No such statute, no such precedent, to be found. What answer then is to be given to this demand? The very same answer which I will give to that of Junius: That there is more than one precedent in the proceedings of the House—“where an incapable person has been returned, and another candidate, with an inferior number of votes, has been declared the fitting member; and that this is the known and established law in all cases of incapacity, from whatever cause it may arise.”

I SHALL now therefore beg leave to make a slight amendment to Junius’s state of the question, the affirmative of which will then stand thus:

“It is the known and established law of parliament, that the expulsion of any member of the House of Commons creates in him an incapacity of being re-elected; that any votes given to him at a subsequent election are, in consequence of such incapacity, null and void; and that any other candidate who, except the person rendered incapable, has the greatest number of votes, ought to be the fitting member.”

BUT our business is not yet quite finished. Mr. Walpole’s case must have a re-hearing. “It is not possible (says this writer) to conceive a case more exactly in point. Mr. Walpole was expelled; and

having a majority of votes at the next election was returned again. The friends of Mr. Taylor, a candidate set up by the ministry, petitioned the House that he might be the fitting member. Thus far the circumstances tally exactly, except that our House of Commons favoured Mr. Luttrell the trouble of petitioning. The point of law, however, was the same. It came regularly before the House, and it was their business to determine upon it. They did determine it; for they declared Mr. Taylor *not duly elected*."

INSTEAD of examining the justness of this representation, I shall beg leave to oppose against it my own view of this case, in as plain a manner and as few words as I am able.

IT was the known and established law of parliament, when the charge against Mr. Walpole came before the House of Commons, that they had power to expel, to disable, and to render incapable for offences. In virtue of this power they expelled him.

HAD they, in the very vote of expulsion, adjudging him, in terms, to be incapable of being re-elected, there must have been at once an end with him. But though the right of the House, both to expel and adjudge incapable, was clear and indubitable, it does not appear to me, that the full operation and effect of a vote of expulsion singly was so.—The law in this case had never been expressly declared.—There had been no event to call up such a declaration. I trouble not myself with the grammatical meaning of the word expulsion, I regard only its legal meaning. This was not, as I think, precisely fixed. The House thought proper to fix it, and explicitly to declare the full consequences of their former vote, before they suffered these consequences to take effect. And in this proceeding they acted upon the most liberal and solid principles of equity, justice, and law. What then did the burgesses of Lynn collect from the second vote? Their subsequent conduct will tell us: It will with certainty tell us, that

they considered it as decisive against Mr. Walpole; it will also with equal certainty tell us, that, upon supposition that the law of election stood then as it does now, and that they knew it to stand thus, they inferred, "that, at a future election, and in case of a similar return, the House would receive the same candidate, as duly elected, whom they had before rejected." They could infer nothing but this.

IT is needless to repeat the circumstance of dissimilarity in the present case. It will be sufficient to observe, that, as the law of parliament, upon which the House of Commons grounded every step of their proceedings, was clear beyond the reach of doubt, so neither could the freeholders of Middlesex be at a loss to foresee what must be the inevitable consequence of their proceedings in opposition to it. For upon every return of Mr. Wilkes, the House made inquiry whether any votes were given to any other candidate.

BUT I could venture, for the experiment's sake, even to give this writer the utmost he asks; to allow the most perfect similarity throughout in these two cases; to allow, that the law of expulsion was quite as clear to the burgesses of Lynn, as to the freeholders of Middlesex. It will, I am confident, avail his cause but little. It will only prove, that the law of election at that time was different from the present law. It will prove, that, in all cases of an incapable candidate returned, the law then was, that the whole election should be void. But now we know that this is not law. The cases of Malden and Bedford were, as has been seen, determined upon other and more just principles. And these determinations are, I imagine, admitted on all sides to be law.

I WOULD willingly draw a veil over the remaining part of this paper. It is astonishing, it is painful, to see men of parts and ability, giving into the most unworthy artifices, and descending so much below their true line of character. But if they are not the dupes of

their sophistry (which is hardly to be conceived), let them consider that they are something much worse.

THE dearest interests of this country are its laws and its constitution. Against every attack upon these, there will, I hope, be always found amongst us the firmest *spirit of resistance*; superior to the united efforts of faction and ambition. For ambition, though it does not always take the lead of faction, will be sure in the end to make the most fatal advantage of it, and draw it to its own purposes. But I trust our day of trial is yet far off; and there is *a fund of good sense in this country, which cannot long be deceived* by the arts either of false reasoning or false patriotism.

LETTER XX.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

AUGUST 8. 1769.

THE gentleman who has published an answer to Sir William Meredith's pamphlet, having honoured me with a postscript of six quarto pages, which he moderately calls bestowing a *very* few words upon me, I cannot, in common politeness, refuse him a reply. The form and magnitude of a quarto imposes upon the mind; and men, who are unequal to the labour of discussing an intricate argument, or wish to avoid it, are willing enough to suppose, that much has been proved, because much has been said. Mine, I confess, are humble labours. I do not presume to instruct the learned, but simply to inform the body of the people; and I prefer that channel of conveyance which is likely to spread farthest among them. The advocates of the ministry seem to me to write for fame, and to flatter them-

felves that the size of their works will make them immortal. They pile up reluctant quarto upon folio folio, as if their labours, because they are gigantic, could contend with truth and heaven.

THE writer of the volume in question meets me upon my own ground. He acknowledges there is no statute by which the specific disability we speak of is created ; but he affirms that the custom of parliament has been referred to, and that a case strictly in point has been produced, with the decision of the court upon it. I thank him for coming so fairly to the point. He asserts that the case of Mr. Walpole is strictly in point to prove, that expulsion creates an absolute incapacity of being re-elected ; and for this purpose he refers generally to the first vote of the House upon that occasion, without venturing to recite the vote itself. The unfair disingenuous artifice of adopting that part of a precedent which seems to suit his purpose, and omitting the remainder, deserves some pity, but cannot excite my resentment. He takes advantage eagerly of the first resolution, by which Mr. Walpole's incapacity is declared ; but as to the two following, by which the candidate with the fewest votes was declared " not duly elected," and the election itself vacated, I dare say he would be well satisfied if they were for ever blotted out of the journals of the House of Commons. In fair argument, no part of a precedent should be admitted, unless the whole of it be given to us together. The author has divided his precedent ; for he knew, that, taken together, it produced a consequence directly the reverse of that which he endeavours to draw from a vote of expulsion. But what will this honest person say, if I take him at his word, and demonstrate to him, that the House of Commons never meant to found Mr. Walpole's incapacity upon his expulsion only ? what subterfuge will then remain ?

LET it be remembered, that we are speaking of the intention of men who lived more than half a century ago, and that such intention

can only be collected from their words and actions as they are delivered to us upon record. To prove their designs by a supposition of what they would have done, opposed to what they actually did, is mere trifling and impertinence. The vote by which Mr. Walpole's incapacity was declared is thus expressed, "That Robert Walpole, Esq. having been this session of parliament committed a prisoner to the Tower, and expelled this House for a breach of trust in the execution of his office, and notorious corruption when secretary at war, was and is incapable of being elected a member to serve in this present parliament *."—Now, Sir, to my understanding, no proposition of this kind can be more evident, than that the House of Commons, by this very vote, themselves understood, and meant to declare, that Mr. Walpole's incapacity arose from the crimes he had committed, not from the punishment the House annexed to them. The high breach of trust, the notorious corruption, are stated in the strongest terms. They do not tell us that he was incapable because he was expelled, but because he had been guilty of such offences as justly rendered him unworthy of a seat in parliament. If they had intended to fix the disability upon his expulsion alone, the mention of his crimes in the same vote would have been highly improper. It could only perplex the minds of the electors, who, if they collected any thing from so confused a declaration of the law of parliament, must have concluded that their representative had been declared incapable because he was highly guilty, not because he had been punished.—But even admitting them to have understood it in the other sense, they must then, from the very terms of the vote, have united the

* It is well worth remarking, that the compiler of a certain quarto, called, *The case of the last election for the county of Middlesex considered*, has the impudence to recite this very vote, in the following terms, vide p. 11. "Resolved, that Robert Walpole, Esq. having been that session of parliament expelled the House, was and is incapable of being elected a member to serve in the present parliament." There cannot be a stronger positive proof of the treachery of the compiler, nor a stronger presumptive proof that he was convinced that the vote, if truly recited, would overturn his whole argument.

idea of his being sent to the Tower with that of his expulsion, and considered his incapacity as the joint effect of both *.

* ADDRESSED TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

MAY 22. 1771.

VERY early in the debate upon the decision of the Middlesex election, it was observed by *Junius*, that the House of Commons had not only exceeded their boasted precedent of the expulsion and subsequent incapacitation of Mr. Walpole, but that they had not even adhered to it strictly as far as it went. After convicting Mr. Dyson of giving a false quotation from the journals, and having explained the purpose which that contemptible fraud was intended to answer, he proceeds to state the vote itself by which Mr. Walpole's supposed incapacity was declared, viz.—“Resolved, That Robert Walpole, Esq. having been this session of parliament committed a prisoner to the Tower, and expelled this house for a high breach of trust in the execution of his office, and notorious corruption when secretary at war, was and is incapable of being elected a member to serve in this present parliament :”—and then observes, that, from the terms of the vote, we have no right to annex the incapacitation to the *expulsion* only; for that, as the proposition stands, it must arise equally from the expulsion and the commitment to the Tower. I believe, Sir, no man, who knows any thing of Dialectics, or who understands English, will dispute the truth and fairness of this construction. But *Junius* has a great authority to support him, which, to speak with the Duke of Grafton, I accidentally met with this morning in the course of my reading. It contains an admonition, which cannot be repeated too often. Lord Sommers, in his excellent tract upon the rights of the people, after reciting the votes of the convention of the 28th of January 1689, viz.—“That King James the Second, having endeavoured to subvert the constitution of this kingdom by breaking the original contract between King and people, and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of this kingdom, hath abdicated the government,” &c.—makes this observation upon it : “The word *abdicated* relates to *all* the clauses foregoing, as well as to his deserting the kingdom, or else they would have been wholly in vain.” And that there might be no pretence for confining the *abdication* merely to the *withdrawing*, Lord Sommers farther observes, *that King James, by refusing to govern us according to that law by which he held the crown, implicitly renounced his title to it.*

If *Junius's* construction of the vote against Mr. Walpole be now admitted (and indeed I cannot comprehend how it can honestly be disputed), the advocates of the House of Commons must either give up their precedent entirely, or be reduced to the necessity of maintaining one of the grossest absurdities imaginable, viz. “That a commitment to the Tower is a constituent part of, and contributes half at least to, the incapacitation of the person who suffers it.”

I need not make you any excuse for endeavouring to keep alive the attention of the public to the decision of the Middlesex election. The more I consider it, the more I am convinced that, as a *fact*, it is indeed highly injurious to the rights of the people; but that, as a *precedent*, it is one of the most dangerous that ever was established against those who are to come after us. Yet I am so far a moderate man, that I verily believe the majority of the House of Commons, when they passed this dangerous vote, neither understood the question, nor knew the consequence of what they were doing. Their motives were rather despicable, than criminal, in the extreme. One effect they certainly did not foresee. They are now reduced to such a situation, that if a member of the present House of Commons were to conduct himself ever so improperly, and in reality deserve to be sent back to his constituents with a mark of disgrace, they would not dare to expel him; because they know that the people, in order to try again the great question of right, or to thwart an odious House of Commons, would probably overlook his immediate unworthiness, and return the same person to Parliament.—But, in time, the precedent will gain strength. A future House of Commons will have no such apprehensions; consequently will not scruple to follow a precedent, which they did not establish. The miser himself seldom lives to enjoy the fruit of his extortion; but his heir succeeds him of course, and takes possession without censure. No man expects him to make restitution; and, no matter for his title, he lives quietly upon the estate.

PHILO JUNIUS.

I DO not mean to give an opinion upon the justice of the proceedings of the House of Commons with regard to Mr. Walpole; but certainly, if I admitted their censure to be well founded, I could no way avoid agreeing with them in the consequence they drew from it. I could never have a doubt, in law or reason, that a man convicted of a high breach of trust, and of a notorious corruption, in the execution of a public office, was and ought to be incapable of sitting in the same parliament. Far from attempting to invalidate that vote, I should have wished that the incapacity declared by it could legally have been continued for ever.

Now, Sir, observe how forcibly the argument returns. The House of Commons, upon the face of their proceedings, had the strongest motives to declare Mr. Walpole incapable of being re-elected. They thought such a man unworthy to sit among them. To that point they proceeded, and no farther; for they respected the rights of the people, while they asserted their own. They did not infer from Mr. Walpole's incapacity that his opponent was duly elected; on the contrary, they declared Mr. Taylor "not duly elected," and the election itself void.

SUCH, however, is the precedent which my honest friend assures us is strictly in point to prove, that expulsion of itself creates an incapacity of being elected. If it had been so, the present House of Commons should at least have followed strictly the example before them, and should have stated to us in the same vote the crimes for which they expelled Mr. Wilkes; whereas they resolve simply, that, "having been expelled, he was and is incapable." In this proceeding I am authorised to affirm, they have neither statute, nor custom, nor reason, nor one single precedent to support them. On the other side, there is indeed a precedent so strongly in point, that all the enchanted castles of ministerial magic fall before it. In the year 1698 (a period which the rankest Tory dare not except against), Mr. Wol-

laston was expelled, re-elected, and admitted to take his seat in the same parliament. The ministry have precluded themselves from all objections drawn from the cause of his expulsion; for they affirm absolutely, that expulsion of itself creates the disability. Now, Sir, let sophistry evade, let falsehood assert, and impudence deny—here stands the precedent, a land-mark to direct us through a troubled sea of controversy, conspicuous and unmoved.

I HAVE dwelt the longer upon the discussion of this point, because, in *my* opinion, it comprehends the whole question. The rest is unworthy of notice. We are inquiring whether incapacity be or be not created by expulsion. In the cases of Bedford and Malden, the incapacity of the persons returned was matter of public notoriety, for it was created by act of parliament. But really, Sir, my honest friend's suppositions are as unfavourable to him as his facts. He well knows that the clergy, besides that they are represented in common with their fellow-subjects, have also a separate parliament of their own: That their incapacity to sit in the House of Commons has been confirmed by repeated decisions of the House; and that the law of parliament declared by those decisions has been for above two centuries notorious and undisputed. The author is certainly at liberty to fancy cases, and make whatever comparisons he thinks proper; his suppositions still continue as distant from fact, as his wild discourses are from solid argument.

THE conclusion of his book is candid to extreme. He offers to grant me all I desire. He thinks he may safely admit that the case of Mr. Walpole makes directly against him, for it seems he has one grand solution *in petto* for all difficulties. *If (says he) I were to allow all this, it will only prove, that the law of election was different in Queen Anne's time from what it is at present.*

THIS indeed is more than I expected. The principle, I know, has

been maintained in fact; but I never expected to see it so formally declared. What can he mean? Does he assume this language to satisfy the doubts of the people, or does he mean to rouse their indignation? Are the ministry daring enough to affirm, that the House of Commons have a right to make and unmake the law of parliament at their pleasure? Does the law of parliament, which we are so often told is the law of the land,—does the common right of every subject of the realm depend upon an arbitrary capricious vote of one branch of the legislature?—The voice of truth and reason must be silent.

THE ministry tell us plainly, that this is no longer a question of right, but of power and force alone. What was law yesterday is not law to-day;—and now it seems we have no better rule to live by, than the temporary discretion and fluctuating integrity of the House of Commons.

PROFESSIONS of patriotism are become stale and ridiculous. For my own part, I claim no merit from endeavouring to do a service to my fellow-subjects. I have done it to the best of my understanding; and, without looking for the approbation of other men, my conscience is satisfied. What remains to be done concerns the collective body of the people. They are now to determine for themselves, whether they will firmly and constitutionally assert their rights, or make an humble slavish surrender of them at the feet of the ministry. To a generous mind there cannot be a doubt. We owe it to our ancestors to preserve entire these rights which they have delivered to our care: We owe it to our posterity not to suffer their dearest inheritance to be destroyed. But, if it were possible for us to be insensible of these sacred claims, there is yet an obligation binding upon ourselves, from which nothing can acquit us,—a personal interest, which we cannot surrender. To alienate even our own rights would be a crime as much more enormous than suicide, as a life of civil security

and freedom is superior to a bare existence; and if life be the bounty of heaven, we scornfully reject the noblest part of the gift, if we consent to surrender that certain rule of living, without which the condition of human nature is not only miserable but contemptible.

JUNIUS.

LETTER XXI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SIR,

AUGUST 22. 1769.

MUST beg of you to print a few lines in explanation of some passages in my last letter, which I see have been misunderstood.

1. WHEN I said that the House of Commons never meant to found Mr. Walpole's incapacity on his expulsion *only*, I meant no more than to deny the general proposition, that expulsion *alone* creates the incapacity. If there be any thing ambiguous in the expression, I beg leave to explain it by saying, that, in my opinion, expulsion neither creates, nor in any part contributes to create the incapacity in question.

2. I CAREFULLY avoided entering into the merits of Mr. Walpole's case. I did not inquire whether the House of Commons acted justly, or whether they truly declared the law of parliament. My remarks went only to their apparent meaning and intention as it stands declared in their own resolution.

3. I NEVER meant to affirm, that a commitment to the Tower

created a disqualification. On the contrary, I considered that idea as an absurdity into which the ministry must inevitably fall, if they reasoned right upon their own principles.

THE case of Mr. Wollaston speaks for itself. The ministry assert that *expulsion alone* creates an absolute complete incapacity to be re-elected to sit in the same parliament. This proposition they have uniformly maintained, without any condition or modification whatsoever. Mr. Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament.—I leave it to the public to determine, whether this be a plain matter of fact, or mere nonsense or declamation.

JUNIUS.

LETTER XXII.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

SEPTEMBER 4. 1769.

ARGUMENT *against* FACT, or A New System of Political Logic, by which the Ministry have demonstrated, to the satisfaction of their friends, that *expulsion alone* creates a complete incapacity to be re-elected; alias, that a subject of this realm may be robbed of his common right by a vote of the House of Commons.

FIRST FACT.

Mr Wollaston in 1698 was expelled, re-elected, and admitted to take his seat.

ARGUMENT.

As this cannot conveniently be reconciled with our general pro-

position, it may be necessary to shift our ground, and look back to the *cause* of Mr. Wollaston's expulsion. From thence it will appear clearly, that, "although he was expelled, he had not rendered himself a culprit too ignominious to sit in parliament; and that, having resigned his employment, he was no longer incapacitated by law." *Vide Serious Considerations*, p. 23. Or thus, "The House, somewhat *inaccurately*, used the word EXPELLED; they should have called it AMOTION," *Vide Mungo's Case considered*, p. 11. Or, in short, if these arguments should be thought insufficient, we may fairly deny the fact. For example—"I affirm that he was not re-elected. The same Mr. Wollaston, who was expelled, was not again elected. The same individual, if you please, walked into the House, and took his seat there; but the same person in law was not admitted a member of that parliament, from which he had been discarded." *Vide Letter to Junius*, p. 12.

SECOND FACT.

Mr. Walpole having been committed to the Tower, and expelled for a high breach of trust and notorious corruption in a public office, was declared incapable, &c.

ARGUMENT.

FROM the terms of this vote, nothing can be more evident, than that the House of Commons meant to fix the incapacity upon the punishment, and not upon the crime; but, lest it should appear in a different light to weak uninformed persons, it may be advisable to put the resolution, and give it to the public, with all possible solemnity, in the following terms, viz. "Resolved, That Robert Walpole, Esq. having been that session of parliament expelled the House, was and is incapable of being elected member to serve in that present parliament." *Vide Mungo on the use of quotations*, p. 11.

N.B. The author of the answer to Sir William Meredith seems to have made use of Mungo's quotation; for in page 18, he assures us, "That the declaratory vote of the 17th of February 1769, was in-

deed a literal copy of the resolution of the House in Mr. Walpole's case."

THIRD FACT.

His opponent, Mr. Taylor, having the smallest number of votes at the next election, was declared not duly elected.

ARGUMENT.

THIS fact we consider as directly in point to prove that Mr. Luttrell ought to be the fitting member, for the following reasons: "The burgesses of Lynn could draw no other inference from this resolution but this, that, at a future election, and in case of a similar return, the House would receive the same candidate as duly elected, whom they had before rejected." *Vide Postscript to Junius*, p. 37. Or thus, "This their resolution leaves no room to doubt what part they *would* have taken, if, upon a subsequent re-election of Mr. Walpole, there had been any other candidate in competition with him: For, by their vote, they could have no other intention than to admit such other candidate." *Vide Mungo's case considered*, p. 39. Or take it in this light: The burgesses of Lynn having, in defiance of the House, retorted upon them a person whom they had branded with the most ignominious marks of their displeasure, were thereby so well intitled to favour and indulgence, that the House could do no less than rob Mr. Taylor of a right legally vested in him, in order that the burgesses might be apprised of the law of parliament; which law the House took a very direct way of explaining to them, by resolving that the candidate with the fewest votes was not duly elected: "And was not this much more equitable, more in the spirit of that equal and substantial justice which is the end of all law, than if they had violently adhered to the strict maxims of law?" *Vide Serious Considerations*, p. 33. and 34. "And if the present House of Commons had chosen to follow the spirit of this resolution, they would have received and established the candidate with the fewest votes." *Vide Answer to Sir W. M.* p. 18.

PERMIT me now, Sir, to shew you, that the worthy Dr. Blackstone sometimes contradicts the ministry as well as himself. The speech without doors asserts, p. 9. "That the legal effect of an incapacity, founded on a judicial determination of a complete court, is precisely the same as that of an incapacity created by act of parliament."—Now for the doctor. *The law and the opinion of the judge are not always convertible terms, or one and the same thing; since it sometimes may happen that the judge may mistake the law.* Commentaries, vol. I. p. 71.

THE answer to Sir W. M. asserts, p. 23. "That the returning officer is not a judicial, but a purely ministerial officer. His return is no judicial act."—At 'em again, Doctor. *The Sheriff in his judicial capacity is to hear and determine causes of forty shillings value and under in his county court. He has also a judicial power in divers other civil causes. He is likewise to decide the elections of knights of the shire (subject to the controul of the House of Commons), to judge of the qualification of voters, and to return such as he shall determine to be duly elected.* Vide Commentaries, vol. I. p. 332.

WHAT conclusion shall we draw from such facts, and such arguments, such contradictions? I cannot express my opinion of the present ministry more exactly than in the words of Sir Richard Steele: "That we are governed by a set of drivellers, whose folly takes away all dignity from distress, and makes even calamity ridiculous."

PHILO JUNIUS.

LETTER XXIII.

TO HIS GRACE THE DUKE OF BEDFORD.

MY LORD,

SEPTEMBER 19. 1769.

YOU are so little accustomed to receive any marks of respect or esteem from the public, that if, in the following lines, a compliment or expression of applause should escape me, I fear you would consider it as a mockery of your established character, and perhaps an insult to your understanding. You have nice feelings, my Lord, if we may judge from your resentments. Cautious therefore of giving offence, where you have so little deserved it, I shall leave the illustration of your virtues to other hands. Your friends have a privilege to play upon the easiness of your temper, or possibly they are better acquainted with your good qualities than I am. You have done good by stealth. The rest is upon record. You have still left ample room for speculation, when panegyric is exhausted.

You are indeed a very considerable man. The highest rank; a splendid fortune; and a name, glorious till it was yours—were sufficient to have supported you with meaner abilities than I think you possess. From the first, you derive a constitutional claim to respect; from the second, a natural extensive authority; the last created a partial expectation of hereditary virtues. The use you have made of these uncommon advantages might have been more honourable to yourself, but could not be more instructive to mankind. We may trace it in the veneration of your country, the choice of your friends, and in the accomplishment of every sanguine hope which the public might have conceived from the illustrious name of Russell.

THE eminence of your station gave you a commanding prospect

of your duty. The road which led to honour was open to your view. You could not lose it by mistake, and you had no temptation to depart from it by design. Compare the natural dignity and importance of the richest peer of England; the noble independence which he might have maintained in parliament, and the real interest and respect which he might have acquired, not only in parliament, but through the whole kingdom: Compare these glorious distinctions with the ambition of holding a share in government, the emoluments of a place, the sale of a borough, or the purchase of a corporation; and though you may not regret the virtues which create respect, you may see with anguish how much real importance and authority you have lost. Consider the character of an independent virtuous Duke of Bedford; imagine what he might be in this country, then reflect one moment upon what you are. If it be possible for me to withdraw my attention from the fact, I will tell you in the theory what such a man might be.

CONSCIOUS of his own weight and importance, his conduct in parliament would be directed by nothing but the constitutional duty of a peer. He would consider himself as a guardian of the laws. Willing to support the just measures of government, but determined to observe the conduct of the minister with suspicion, he would oppose the violence of faction with as much firmness as the incroachments of prerogative. He would be as little capable of bargaining with the minister for places for himself or his dependents, as of descending to mix himself in the intrigues of opposition. Whenever an important question called for his opinion in parliament, he would be heard by the most profligate minister with deference and respect. His authority would either sanctify or disgrace the measures of government. The people would look up to him as their protector; and a virtuous prince would have one honest man in his dominions, in whose integrity and judgment he might safely confide. If it should be the will of Providence to afflict him with a domestic misfortune,

he would submit to the stroke with feeling, but not without dignity *. He would consider the people as his children, and receive a generous heart-felt consolation in the sympathising tears and blessings of his country.

YOUR Grace may probably discover something more intelligible in the negative part of this illustrious character. The man I have described would never prostitute his dignity in parliament by an indecent violence either in opposing or defending a minister. He would not at one moment rancorously persecute, at another basely cringe to the favourite of his Sovereign. After outraging the royal dignity with peremptory conditions little short of menace and hostility, he would never descend to the humility of soliciting an interview § with the favourite, and of offering to recover at any price the honour of his friendship. Though deceived perhaps in his youth, he would not, through the course of a long life, have invariably chosen his friends from among the most profligate of mankind. His own honour would have forbidden him from mixing his private pleasures or conversation with jockies, gamesters, blasphemers, gladiators, or buffoons.— He would then have never felt, much less would he have submitted to, the dishonest necessity of engaging in the interests and intrigues of his dependents; of supplying their vices, or relieving their beggary, at the expence of his country. He would not have betrayed such ignorance or such contempt of the constitution, as openly to avow, in a court of justice, the purchase and sale of a borough ||.— He would not have thought it consistent with his rank in the state, or even with his personal importance, to be the little tyrant of a

* The Duke lately lost his only son by a fall from his horse.

§ At this interview, which passed at the house of the late Lord Eglintoun, Lord Bute told the Duke that he was determined never to have any connexion with a man who had so basely betrayed him.

|| In an answer in Chancery, in a suit against him to recover a large sum paid him by a person whom he had undertaken to return to parliament for one of his Grace's boroughs. He was compelled to repay the money.

little corporation *. He would never have been insulted with virtues which he had laboured to extinguish; nor suffered the disgrace of a mortifying defeat, which has made him ridiculous and contemptible, even to the few by whom he was not detested. I reverence the afflictions of a good man—his sorrows are sacred. But how can we take part in the distresses of a man whom we can neither love nor esteem, or feel for a calamity, of which he himself is insensible? Where was the father's heart, when he could look for, or find, an immediate consolation for the loss of an only son, in consultations and bargains for a place at court, and even in the misery of ballotting at the India-house!

ADMITTING then that you have mistaken or deserted those honourable principles which ought to have directed your conduct—admitting that you have as little claim to private affection as to public esteem—let us see with what abilities, with what degree of judgment, you have carried your own system into execution. A great man, in the success, and even in the magnitude of his crimes, finds a rescue from contempt. Your Grace is every way unfortunate. Yet I will not look back to those ridiculous scenes, by which, in your earlier days, you thought it an honour to be distinguished §; the recorded stripes, the public infamy, your own sufferings, or Mr Rigby's fortitude. These events undoubtedly left an impression, though not upon your mind. To such a mind it may perhaps be a pleasure to reflect, that there is hardly a corner of any of his Majesty's king-

* Of Bedford; where the tyrant was held in such contempt and detestation, that, in order to deliver themselves from him, they admitted a great number of strangers to the freedom. To make his defeat truly ridiculous, he tried his whole strength against Mr. *Horne*, and was beaten upon his own ground.

§ Mr. Heston Humphrey, a country attorney, horfewhipped the Duke, with equal justice, severity, and perseverance, on the course at Litchfield. *Rigby* and Lord *Trentham* were also cudgelled in a most exemplary manner. This gave rise to the following story: "When the late King heard that Sir Edward Hawke had given the French a *drubbing*, his Majesty, who had never received that kind of chastisement, was pleased to ask Lord Chesterfield the meaning of the word.—Sir (says Lord Chesterfield), the meaning of the word—but here comes the Duke of Bedford, who is better able to explain it to your Majesty than I am."

doms, except France, in which, at one time or another, your valuable life has not been in danger. Amiable man! we see and acknowledge the protection of Providence, by which you have so often escaped the personal detestation of your fellow-subjects, and are still reserved for the public justice of your country.

YOUR history begins to be important at that auspicious period at which you were deputed to represent the Earl of Bute at the Court of Versailles. It was an honourable office, and executed with the same spirit with which it was accepted. Your patrons wanted an ambassador, who would submit to make concessions, without daring to insist upon any honourable condition for his Sovereign. Their business required a man who had as little feeling for his own dignity as for the welfare of his country; and they found him in the first rank of the nobility. Belleisle, Goree, Guadaloupe, St. Lucia, Martinique, the Fishery, and the Havannah, are glorious monuments of your Grace's talents for negotiation. My Lord, we are too well acquainted with your pecuniary character to think it possible that so many public sacrifices should have been made, without some private compensations. Your conduct carries with it an internal evidence, beyond all the legal proofs of a court of justice. Even the callous pride of Lord Egremont was alarmed *. He saw and felt his own dishonour in corresponding with you; and there certainly was a moment at which he meant to have resisted, had not a fatal lethargy prevailed over his faculties, and carried all sense and memory away with it.

I WILL not pretend to specify the secret terms on which you were invited to support an § administration which Lord Bute pretended

* This man, notwithstanding his pride and Tory principles, had some English stuff in him. Upon an official letter he wrote to the Duke of Bedford, the Duke desired to be recalled, and it was with the utmost difficulty that Lord Bute could appease him.

§ Mr. Grenville, Lord Halifax, and Lord Egremont.

to leave in full possession of their ministerial authority, and perfectly masters of themselves. He was not of a temper to relinquish power, though he retired from employment. Stipulations were certainly made between your Grace and him, and certainly violated. After two years submission, you thought you had collected a strength sufficient to controul his influence, and that it was your turn to be a tyrant, because you had been a slave. When you found yourself mistaken in your opinion of your gracious master's firmness, disappointment got the better of all your humble discretion, and carried you to an excess of outrage to his person, as distant from true spirit as from all decency and respect *. After robbing him of the rights of a King, you would not permit him to preserve the honour of a gentleman. It was then Lord Weymouth was nominated to Ireland, and dispatched (we well remember with what indecent hurry) to plunder the treasury of the first fruits of an employment which you well know he was never to execute ‡.

THIS sudden declaration of war against the favourite might have given you a momentary merit with the public, if it had either been adopted upon principle, or maintained with resolution. Without looking back to all your former servility, we need only observe your subsequent conduct, to see upon what motives you acted. Apparently united with Mr. Grenville, you waited until Lord Rockingham's feeble administration should dissolve in its own weakness. The moment their dismissal was suspected, the moment you perceived that another system was adopted in the closet, you thought it no disgrace to return to your former dependence, and solicit once more the

* The ministry having endeavoured to exclude the Dowager out of the regency bill, the Earl of Bute determined to dismiss them. Upon this the Duke of Bedford demanded an audience of the —; reproached him in plain terms with his duplicity, baseness, falsehood, treachery, and hypocrisy—repeatedly gave him the lie, and left him in convulsions.

‡ He received three thousand pounds for plate and equipage money.

friendship of Lord Bute. You begged an interview, at which he had spirit enough to treat you with contempt.

It would be now of little use to point out, by what a train of weak injudicious measures it became necessary, or was thought so, to call you back to a share in the administration *. The friends, whom you did not in the last instance desert, were not of a character to add strength or credit to government; and at that time your alliance with the Duke of Grafton was, I presume, hardly foreseen. We must look for other stipulations, to account for that sudden resolution of the closet, by which three of your dependents § (whose characters, I think, cannot be less respected than they are) were advanced to offices, through which you might again controul the minister, and probably engross the whole direction of affairs.

THE possession of absolute power is now once more within your reach. The measures you have taken to obtain and confirm it are too gross to escape the eyes of a discerning judicious prince. His palace is besieged; the lines of circumvallation are drawing round him; and unless he finds a resource in his own activity, or in the attachment of the real friends of his family, the best of princes must submit to the confinement of a state-prisoner, until your Grace's death, or some less fortunate event, shall raise the siege. For the present, you may safely resume that style of insult and menace, which even a private gentleman cannot submit to hear without being contemptible. Mr. Mackenzie's history is not yet forgotten; and you may find precedents enough of the mode in which an imperious subject may signify his pleasure to his Sovereign. Where will this gracious Monarch look for assistance, when the wretched Grafton

* When Earl Gower was appointed President of the Council, the King with his usual sincerity assured him, that he had not had one happy moment since the Duke of Bedford left him.

§ Lords Gower, Weymouth, and Sandwich.

could forget his obligations to his master, and desert him for a hollow alliance with *such* a man as the Duke of Bedford!

LET us consider you then as arrived at the summit of worldly greatness: Let us suppose, that all your plans of avarice and ambition are accomplished, and your most sanguine wishes gratified in the fear as well as the hatred of the people: Can age itself forget that you are in the last act of life? Can grey hairs make folly venerable? and is there no period to be reserved for meditation and retirement? For shame, my Lord! Let it not be recorded of you, that the latest moments of your life were dedicated to the same unworthy pursuits, the same busy agitations, in which your youth and manhood were exhausted. Consider, that, although you cannot disgrace your former life, you are violating the character of age, and exposing the impotent imbecillity after you have lost the vigour of the passions.

YOUR friends will ask, perhaps, Whither shall this unhappy old man retire? Can he remain in the metropolis, where his life has been so often threatened, and his palace so often attacked? If he returns to Wooburn, scorn and mockery await him. He must create a solitude round his estate, if he would avoid the face of reproach and derision. At Plymouth, his destruction would be more than probable; at Exeter, inevitable. No honest Englishman will ever forget his attachment, nor any honest Scotchman forgive his treachery, to Lord Bute. At every town he enters, he must change his liveries and name. Whichever way he flies the *hue and cry* of the country pursues him.

IN another kingdom, indeed, the blessings of his administration have been more sensibly felt; his virtues better understood; or at worst they will not, for him alone, forget their hospitality. As well might VERRES have returned to Sicily. You have twice escaped,

my Lord ; beware of a third experiment. The indignation of a whole people, plundered, insulted, and oppressed as they have been, will not always be disappointed.

It is in vain therefore to shift the scene. You can no more fly from your enemies than from yourself. Persecuted abroad, you look into your own heart for consolation, and find nothing but reproaches and despair. But, my Lord, you may quit the field of business, though not the field of danger ; and though you cannot be safe, you may cease to be ridiculous. I fear you have listened too long to the advice of those pernicious friends, with whose interests you have fordidly united your own, and for whom you have sacrificed every thing that ought to be dear to a man of honour. They are still base enough to encourage the follies of your age, as they once did the vices of your youth. As little acquainted with the rules of decorum as with the laws of morality, they will not suffer you to profit by experience, nor even to consult the propriety of a bad character.— Even now they tell you, that life is no more than a dramatic scene, in which the hero should preserve his consistency to the last ; and that as you lived without virtue, you should die without repentance.

JUNIUS.

LETTER XXIV.

TO JUNIUS.

SIR,

SEPTEMBER 14. 1769.

HAVING accidentally seen a *republication* of your letters, wherein you have been pleased to *assert*, that I had *sold* the companions of my success, I am again obliged to declare the said assertion to be a

most *infamous* and *malicious falsehood*; and I *again* call upon you to stand forth, avow yourself, and *prove* the charge. If you can make it out to the satisfaction of any one man in the kingdom, I will be content to be thought the worst man in it; if you do not, what must the nation think of you? *Party* has nothing to do in this affair: You have made a personal attack upon my honour, defamed me by a most vile calumny, which might possibly have sunk into oblivion, had not such uncommon pains been taken to renew and perpetuate this scandal, chiefly because it has been told in good language: For I give you full credit for your elegant diction, well-turned periods, and Attic wit: But wit is oftentimes false, though it may appear brilliant; which is exactly the case of your *whole performance*. But, Sir, I am obliged in the most *serious* manner to accuse you of being guilty of *falseties*. You have said the thing that is *not*. To support your story, you have recourse to the following *irrefragable* argument: “ You *sold* the companions of your victory, because when the 16th regiment was given to *you*, you was *silent*. The conclusion is inevitable.”—I believe that such *deep* and *acute reasoning* could only come from such an extraordinary writer as *Junius*. But unfortunately for you, the *premises* as well as the *conclusion* are absolutely *false*. Many applications have been made to the ministry on the subject of the Manilla ransom *since* the time of my being colonel of that regiment. As I have for some years quitted London, I was obliged to have recourse to the Honourable Colonel Monson and Sir Samuel Cornish to *negotiate* for me; in the last autumn, I personally delivered a memorial to the Earl of Shelburn at his seat in Wiltshire. As you have told us of your importance, that you are a person of *rank* and *fortune*, and above a *common* bribe, you may in all probability be not *unknown* to his Lordship, who can satisfy you of the truth of what I say. But I shall now take the liberty, Sir, to seize your battery, and turn it against yourself. If your puerile and tinsel logic could carry the least weight or conviction with it, how must you stand affected by the *inevitable conclusion*, as you are pleased to term it? According

to *Junius*, *Silence* is *guilt*. In many of the public papers, you have been called in the most direct and offensive terms a *liar* and a *coward*. When did you reply to these foul accusations? You have been quite *silent*; quite chop-fallen: Therefore, *because* you was *silent*, the nation has a right to pronounce you to be both a liar and a coward from your own argument. But, Sir, I will give you fair play; I will afford you an opportunity to wipe off the first appellation, by deferring the proofs of your charge against me. Produce them! To wipe off the last, produce *yourself*. People cannot bear any longer your *lion's skin*, and the despicable *imposture* of the *old Roman name* which you have *affected*. For the future assume the name of some *modern* bravo and dark assassin*: Let your appellation have some affinity to your practice. But if I must *perish*, *Junius*, let me *perish* in the face of day; be for *once* a generous and open enemy. I allow that Gothic *appeals* to cold iron are no better proofs of a man's honesty and veracity, than hot iron and burning ploughshares are of *female chastity*; but a soldier's honour is as delicate as a woman's; it must not be suspected; you have dared to throw more than a suspicion upon mine: You cannot but know the consequences, which even the meekness of Christianity would pardon me for, after the injury you have done me.

WILLIAM DRAPER.

* Was *Brutus* an *ancient* bravo and dark assassin? or does Sir W. D. think it criminal to stab a tyrant to the heart?

LETTER XXV.

Hæret lateri letibalis arundo.
.....

TO SIR WILLIAM DRAPER, K. B.

SIR,

SEPTEMBER 25. 1769.

AFTER so long an interval, I did not expect to see the debate revived between us. My answer to your last letter shall be short; for I write to you with reluctance, and I hope we shall now conclude our correspondence for ever.

HAD you been originally and without provocation attacked by an anonymous writer, you would have some right to demand his name. But in this cause you are a volunteer. You engaged in it with the unpremeditated gallantry of a foldier. You were content to set your name in opposition to a man who would probably continue in concealment. You understood the terms upon which we were to correspond, and gave at least a tacit assent to them. After voluntarily attacking me under the character of Junius, what possible right have you to know me under any other? Will you forgive me if I insinuate to you, that you foresaw some honour in the apparent spirit of coming forward in person, and that you were not quite indifferent to the display of your literary qualifications?

You cannot but know, that the republication of my letters was no more than a catchpenny contrivance of a printer, in which it was impossible I should be concerned, and for which I am no way answerable. At the same time I wish you to understand, that, if I do not take the trouble of reprinting these papers, it is not from any fear of giving offence to Sir William Draper.

YOUR remarks upon a signature adopted merely for distinction are unworthy of notice ; but when you tell me I have submitted to be called a liar and a coward, I must ask you in my turn, whether you think seriously it any way incumbent on me to take notice of the silly invectives of every simpleton who writes in a newspaper ; and what opinion you would have conceived of my discretion, if I had suffered myself to be the dupe of so shallow an artifice ?

YOUR appeal to the sword, though consistent enough with your late profession, will neither prove your innocence nor clear you from suspicion.—Your complaints with regard to the Manilla ransom were for a considerable time a distress to government. You were appointed (greatly out of your turn) to the command of a regiment, and *during that administration* we heard no more of Sir William Draper. The facts of which I speak may indeed be variously accounted for, but they are too notorious to be denied ; and I think you might have learnt at the university, that a false conclusion is an error in argument, not a breach of veracity. Your solicitations, I doubt not, were renewed under *another* administration. Admitting the fact, I fear an indifferent person would only infer from it, that experience had made you acquainted with the benefits of complaining. Remember, Sir, that you have yourself confessed, that, *considering the critical situation of this country, the ministry are in the right to temporise with Spain*. This confession reduces you to an unfortunate dilemma. By renewing your solicitations, you must either mean to force your country into a war at a most unseasonable juncture ; or, having no view or expectation of that kind, that you look for nothing but a private compensation to yourself.

As to me, it is by no means necessary that I should be exposed to the resentment of the worst and the most powerful men in this country, though I may be indifferent about yours. Though *you* would fight, there are others who would assassinate.

R.

